

**“Creating Some Noise in the World”: Press Freedom and Canada’s**

**First Newspaper, the *Halifax Gazette*, 1752-1761**

By

Dean Jobb

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Approved: Dr. Philip Girard  
Examiner

Approved: Dr. John Reid  
Reader

Approved: Dr. Peter L. Twohig  
Supervisor

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## Abstract

### **'Creating Some Noise in the World': Press Freedom and Canada's First Newspaper, the *Halifax Gazette*, 1752-1761**

The *Halifax Gazette*, the first newspaper published in what would become Canada, has been dismissed the "timid" product of a "docile" printer dependant on government patronage. This study explores the relationship between Nova Scotia's colonial administrators and John Bushell, the *Gazette's* publisher from 1752 to 1761, and assesses this relationship within the context of contemporary notions of press freedom in Britain and America. It questions assumptions that official support was vital to the paper's survival and shows Bushell published criticism of Nova Scotia's military-dominated regime and the British government. While the provincial secretary acted as an official censor during the 1750s, shortcomings in this form of control allowed the *Gazette* to make important contributions to the development of a public sphere in early Nova Scotia.

April 17, 2008.

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## Introduction

### **Liberty, not Licentiousness: The Roots of Press Freedom in Canada**

Y.Z.'s praise for Halifax's new newspaper was effusive. "Sir, I saw your *Gazette* of Monday last with great Satisfaction," the mysterious correspondent wrote in a letter to the publisher, "not only as it was the first that ever was publish'd in the Province, but I think the Letter very good, and the News Paragraphs judiciously chosen." John Bushell, publisher of the *Halifax Gazette*, was obviously pleased with the positive feedback. He used the letter to lead off his paper's second edition of March 30, 1752, and granted his supporter<sup>1</sup> plenty of room to ponder the kind of paper the *Gazette* should become.

"As I am a Lover of Liberty, I hope the Press will always maintain it; but ... I would not have that same Liberty degenerate in Licentiousness," Y.Z. continued. Nor did this lover of liberty want to see measures introduced "for the Good of the Province" become the target of "useless Broils and Disputes .... It is hoped that nothing will appear in your Paper but what may be laudable." Bushell was advised not to encourage "Lampoons ... shallow brain'd Politicians, underwitted Poets, or any Invectives against particular Persons." Instead, Y.Z. hoped the paper would encourage "every Thing that tends to promote Virtue and Industry" and publish "papers that treat of Humour and Wit, as long as they keep within the Bounds of Decency and Morality." Y.Z.'s missive ended with this bit of doggerel:

May our Rulers prove good, and our People grow wise,

May all Virtue increase, and Vice meet despise;

May we always have Reason to be chearful and sing,

Drink a Health to our Betters, and say, *GOD bless the King*.

Bushell appended a note thanking his correspondent for the “Cautions and Advice,” and assured readers Y.Z.’s views “entirely agree with our Sentiments and settled Purposes.”<sup>2</sup>

The *Gazette* was the first newspaper published in what would become Canada.<sup>3</sup> More than 250 years later it continues to appear every week as the *Royal Gazette*, an official publication of the Nova Scotia government that notifies the public of changes to laws and regulations.<sup>4</sup> At its inception, however, government announcements accounted for a small portion of its contents. The *Halifax Gazette* was “a typical colonial weekly paper which, except for official notices, advertisements, record[s] of ship movements, and five to ten lines of colorless local items, consisted entirely of material reprinted from English and Colonial papers,” historian John Bartlet Brebner has noted.

Thus Haligonians got fleeting glimpses of strange events all over the world, a fairly continuous account of the British Court and politics, and the most noteworthy occurrences in the other Colonies, without the publisher having to worry his head over the feelings of the authorities or the law of libel.<sup>5</sup>

While the *Gazette*’s contents appear as trivial and timid today as they did to Brebner in the 1930s, the newspaper’s 1752 debut would have been a matter of pride in a frontier community founded just three years earlier. “In a new or growing small town,” notes a study of the Colonial American press, “the possession of a press (especially one that published a newspaper) was considered an essential prerequisite to a town becoming a significant place.”<sup>6</sup> In England larger, long-established centres such as Liverpool, Sheffield and, ironically, Halifax did not have their own papers until the 1750s.<sup>7</sup> In an era when most international news was disseminated through the exchange of newspapers among printers,<sup>8</sup> hosting a paper not only gave Halifax residents a weekly source of

published information for the first time – it put their little city on the map, “creating some noise in the world.”<sup>9</sup>

Bushell, the man who brought the printed word to Halifax, was a thirty-seven-year-old New Englander. His key role in Canada’s press history came about by chance; he assumed control of the *Gazette* after the death of his former partner, Bartholomew Green Jr., a fellow Bostonian who had imported a press in 1751 to establish a print shop and newspaper at Halifax. Bushell ran the printing business and published the paper until he died in 1761.<sup>10</sup> While Halifax was founded as a direct result of British imperial policy, the men who brought newspaper publishing to the future Canada were products of the American colonies, where printing and newspapers were well-established. The first paper in North America, the *Boston News-Letter*, appeared in 1704 and fourteen weeklies were being published in six colonies by 1750.<sup>11</sup> D.C. Harvey has credited New England immigrants for bringing to Nova Scotia “the two chief vehicles of self-expression, the forum of the House of Assembly and the pages of the public press.”<sup>12</sup> While Harvey and others have noted the American origins of Canada’s first newspaper,<sup>13</sup> their influence on the development of our early press and the development of Canadian democracy has yet to be explored.

This and other gaps in the historiography of journalism in Canada should come as no surprise. Our newspaper history has received relatively little scholarly attention. Historians have long mined Canadian newspapers for insights into historical figures and events, but there have been few studies of newspapers themselves – the journalism within their pages, their business operations, and the social, legal and political contexts within which they were published. “Political and cultural historians have often used newspapers as sources,” one press historian has observed, “but they have rarely done justice to the

press as a historical phenomenon in itself.”<sup>14</sup> There have been general histories of the development of the press in Canada<sup>15</sup> and in-depth studies of the newspaper industry in specific time periods, such as the rise to dominance of the daily newspaper prior to the 1920s.<sup>16</sup> Many prominent publishers, editors and reporters have written memoirs, but these tend to be anecdotal in nature and, as one historian has noted, offer insights into the development of Canadian journalism “at times only by accident.”<sup>17</sup> A decade ago William Buxton and Catherine McKercher emphasized the need for more studies of the events and trends that shaped the history of Canadian journalism. Canada, they argued, lacks “credible surveys” of the development of newspapers and other print media.<sup>18</sup> Wilfred H. Kesterton’s pioneering *A History of Journalism in Canada*, published in 1967, and the handful of general histories that have appeared since “tell us little about the political, social and cultural contexts in which the publications were embedded. And they tell us even less about what impact they might have had on the lives of the people who read them.”<sup>19</sup> British scholars have decried the emphasis on the “great personalities” of journalism as well, contending that the way “the role of the press is perceived, the expectations audiences have of newspapers, the values and beliefs of newspapermen, the attitudes of élites to the press” must be studied to understand how newspapers have developed.<sup>20</sup> Newspapers and their contents must be assessed in their proper context, American writer J. Herbert Altschull has argued, because “journalism does not exist in a vacuum, apart from the world of human experience and the society in which the journalist lives. Reporters and editors are part, often a significant part, of their political, economic, aesthetic, and cultural environment.”<sup>21</sup>

Even less attention has been paid to the origins and development of press freedom in Canada. A succession of scholars have assumed, as did Brebner, that our early printers



and newspaper proprietors were beholden to colonial administrators and dared not publish anything that might challenge or upset those in power. Dependence on government printing contracts, draconian libel laws and, in some cases, direct editorial control kept unfavourable political news or opinions out of the early newspapers and produced a docile, subservient press. “Because the printer-editor needed government business,” Kesterton wrote, “he carefully avoided comment on the conduct of those in authority.” The result “was a pallid, neutral, harmless [news] sheet without any really vital role to play in the social and political life of the community.”<sup>22</sup> Historian Paul Rutherford picked up this refrain, describing the country’s first newspapers as “pretty timid affairs, largely because of their proprietors,” constituting “an official press, instinctively tory though more turgid than opinionated. Their role was to inform the small, literate elite of the affairs of the world.”<sup>23</sup> In a more recent overview of the development of Canadian newspapers, Douglas Fetherling dismissed early newspaper proprietors as “docile printers” obsessed with pleasing their “biggest patron,” the colonial administration.<sup>24</sup> Indeed, this model of state dependency and state control has been a consistent refrain in studies of Canada’s early journalism history for the past half-century.<sup>25</sup>

In this long-accepted version of Canada’s media history, the idea of a free press appeared from nowhere in 1835 when Joseph Howe, editor of the Halifax newspaper *The Novascotian*, stood trial for libel. Howe published a letter accusing city officials of corruption at a time when the truth of allegations was, in law, considered irrelevant; in the words of the revered British jurist Lord Denning, “any criticism in the press of the King or his Ministers was considered to be a seditious libel.”<sup>26</sup> Howe defended himself on a charge of “wickedly, maliciously, and seditiously contriving, devising, and intending to stir up and excite discontent and sedition among His Majesty’s subjects.”<sup>27</sup> The trial

became a forum to publicly repeat and expand his allegations, and a sympathetic jury found him not guilty. To Kesterton, it was “the most momentous freedom-of-the-press precedent” in early Canadian journalism,<sup>28</sup> and Howe stoked the legend by declaring in the pages of his paper that “the press of Nova-Scotia is Free.”<sup>29</sup> Kesterton, for his part, conceded the verdict “did not alter the law”<sup>30</sup> and Howe’s biographer, J. Murray Beck, dismissed the notion that Howe’s courtroom heroics established freedom of the press as “a myth that has little basis in fact.”<sup>31</sup> Recent reassessments of the case, however, have argued convincingly that the verdict established important libel precedents in British North America, made governments wary of using the criminal law to prosecute the press, and encouraged public comment on political affairs.<sup>32</sup> Libel as a criminal offence was formalized in Canada’s *Criminal Code* in 1892, and remains on the books as defamatory libel (published material that damages the reputation of an individual), seditious libel (advocating the use of force to change the government) or blasphemous libel (an attack on a religion).<sup>33</sup> The *Code* recognizes a variety of defences designed to encourage legitimate criticism and debate,<sup>34</sup> however, and prosecutions have been rare.<sup>35</sup> Governments have been reluctant to use the criminal law to stifle and punish their critics – concerned, no doubt, about suffering a humiliating defeat at the hands of a sympathetic jury protecting another Joseph Howe

By the time Howe stood trial in 1835, the United States had a long tradition of protecting and fostering press freedom. As revolutionary leader and future president Thomas Jefferson famously remarked, government should reflect “the opinion of the people” and, faced with a choice between “government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”<sup>36</sup> In 1791 the First Amendment to the U.S. Constitution was ratified to protect freedom of

speech and freedom of the press, giving the American media wide latitude to publish news and opinion and to use the courts to challenge laws and government policies that restrict their work.<sup>37</sup> Formal recognition of freedom of the press came much later in Canada. The Supreme Court of Canada did not explore the scope of press freedom until the 1930s, when it struck down a law that granted the Alberta government sweeping powers to stifle press criticism of its controversial fiscal policies. The law, with the ominous title *An Act to Ensure the Publication of Accurate News and Information*, was found to be beyond the legislative authority of the province and the court used the case to comment on the importance of press freedom. Chief Justice Lyman Duff said the right of “free public discussion of public affairs” was “the breath of life for parliamentary institutions.” Justice Lawrence Cannon went further, describing freedom of discussion as essential to enlighten public opinion in a democratic State; it cannot be curtailed without affecting the right of the people to be informed through sources independent of the Government concerning matters of public interest. There must be an untrammelled publication of the news and political opinions of the political parties contending for ascendancy.

But this free flow of information and opinions is a “freedom governed by law,” the court cautioned, and defamation and restrictions are justified to protect private and public interests.<sup>38</sup> The court reiterated these points in the 1950s, in rulings that refined the definition of a seditious act and struck down Quebec’s attempt to outlaw the spread of communist propaganda. “Freedom in thought and speech and disagreement in ideas and beliefs, on every conceivable subject,” the court noted, “are of the essence of our life.”<sup>39</sup> The federal government introduced a *Bill of Rights* in 1960 to protect fundamental freedoms and human rights, including freedom of speech and freedom of the press, but it

applied only to federal legislation.<sup>40</sup> These freedoms did not achieve constitutional protection until 1982, when the *Charter of Rights and Freedoms* guaranteed “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication,” subject only to restrictions that can be justified in a free and democratic society.<sup>41</sup>

Elevating freedom of the press to a constitutional right may be a modern development in Canada, but the concept was old news by the time Bushell issued the first number of the *Halifax Gazette* in 1752. It was, after all, something that “Lover of Liberty,” the correspondent known only as Y.Z., hoped “the Press will always maintain.” The *Gazette* was established against a backdrop of weakening state control and increasing press independence, both in the American Colonies and in England. By the mid-eighteenth century Enlightenment-inspired notions of press freedom and its importance to democracy were recognized on both sides of the Atlantic. British newspapers had been free of overt government control since 1694, when Parliament opted not to renew legislation requiring papers to be licenced. Press freedom was “essential to the nature of a free State,” British jurist William Blackstone observed in the 1760s in his commentaries on the laws of England; while newspapers could be prosecuted for libel, he added, the essence of press freedom “consists in laying no previous restraints upon publication”<sup>42</sup> The concept was transplanted to the New World in the 1720s and 1730s, a period when the number of newspapers in the American Colonies grew from three to twelve.<sup>43</sup> Many reprinted essays from London papers promoting liberty, press freedom and citizens’ rights, including the popular Letters of Cato by Whig writers John Trenchard and Thomas Gordon. By 1735 the *New-York Weekly Journal* was describing freedom of the press as

“the Safeguard of all our other Liberties.”<sup>44</sup> That paper’s freedom to publish was put to the test that year when its printer, John Peter Zenger, was jailed and charged with libelling William Cosby, the colony’s corrupt and unpopular governor. When Zenger stood trial in August 1735 his lawyer, Alexander Hamilton, appealed to the jury to strike a blow against tyranny, and for press freedom, by recognizing “That, to which Nature and the Laws of our Country have given us a Right” – the liberty of “exposing and opposing arbitrary Power ... by speaking and writing Truth.”<sup>45</sup> Zenger was acquitted and became an American symbol of press freedom, even though his was a moral victory rather than a legal one; the verdict, like Howe’s exactly a century later, did not change the law of libel.<sup>46</sup>

The publisher of the *Halifax Gazette* would have been aware of Zenger’s well-publicized victory and the demands of Cato and others for press freedom. Bushell learned the printing trade in America and, as Brebner noted, he relied on British and American newspapers to fill his columns. What impact, if any, did the struggle for press freedom in Britain and America have on the early development of the press in Canada? Was the *Gazette* a product of its times or, as many historians have suggested, a throwback to less enlightened days of strict press control? A closer examination of Bushell’s career and the newspaper he produced reveals a complex relationship between Canada’s first printer and those who governed him.

The *Halifax Gazette* of the 1750s was a public-private hybrid, a commercial enterprise that played an important public role in early Nova Scotia yet enjoyed no official status. While Bushell styled himself “Printer to the Government,” he was never on the public payroll and the title King’s Printer was not bestowed on his apprentice and

successor, Anthony Henry, until 1788.<sup>47</sup> Fees for printing proclamations, laws and official notices did offer Bushell a steady income at a time when money was scarce and Nova Scotia's economy was beset by cycles of boom and bust. It has been assumed the *Gazette's* publisher could not afford to alienate such an important customer, making government patronage the most powerful instrument of state control over the *Gazette* and other early Canadian newspapers. Kesterton deemed government largesse "essential to their existence."<sup>48</sup> Fetherling assumed "much of Bushell's income" came from "commissions to produce copies of new laws and proclamations," while another writer went so far as to conclude his print shop could not have survived without government work.<sup>49</sup> It would be more correct to assert that Bushell's print shop and *Gazette* barely survived *despite* having the government as a customer. The archival record shows Bushell's printing business was in worse financial shape than previously suggested. Rather than surviving on government patronage, Bushell's *Gazette* came perilously close to dying from government neglect. Bushell had the backing of private investors in Boston and Halifax and established the paper without public money and with little, if any, official encouragement. The administration was an important client, but official work was sporadic and accounted for only part of the print shop's earnings. Bushell sought out other sources of income, selling subscriptions to the *Gazette*, soliciting advertisements from local businesses, undertaking commercial printing jobs, and selling stationery and other printed material. Colonial governments needed the services of a printer to communicate with their citizens as much as early printers needed government income, a symbiotic relationship that deserves closer scrutiny.

Little attention has been paid to the tools at the disposal of the Nova Scotia

government to directly control the press. The colony's administrators would come to consider the newspaper as an arm of officialdom. In the 1820s, when a teenaged Joseph Howe was apprenticing with his father at the *Gazette*, he chafed at playing the role of "servants of government." Barred from taking "the popular side in anything that may be going forward," the paper could not expand its readership and profits. "As we are under government," he grumbled, "we cannot enjoy here the free expression of our sentiments and are not infrequently subject to the caprice of men in office."<sup>50</sup> In Bushell's time, however, control was less overt and the *Gazette* was not so clearly a "government paper." Royal instructions issued to Governor Edward Cornwallis when he founded Halifax in 1749 omitted the power to control the press and printing,<sup>51</sup> reflecting prevailing notions of press freedom in America and Britain. Nova Scotia's colonial administrators resorted to less formal methods to control the *Gazette*'s first printer and what he published. The colony's provincial secretary acted as an official censor, at times vetting material before publication. Such intervention, or the mere prospect of it, may have been enough to assure officials the *Gazette*'s pages would promote "Virtue and Industry" and shun "Lampoons" and "Invectives against particular Persons." The law of libel provided further incentive for Bushell to heed Y.Z.'s advice to shun "Licentiousness" and "Broils and Disputes," and to keep his publication "within the Bounds of Decency and Morality." This study will also explore how the law of seditious libel, as formulated in Britain, was applied and enforced in early Nova Scotia.

The *Gazette* and what appeared in its pages must be analyzed within the political milieu of mid-eighteenth century Nova Scotia. "The press always takes on the form and coloration of the social and political structures within which it operates," a leading study of the theoretical underpinnings of the press has argued.<sup>52</sup> Nova Scotia was effectively

under military rule until 1758, when an elected legislature provided a forum for political dissent. How were these political realities reflected in the *Gazette*, and what do they tell us about the relationship between press freedom and the development of democratic institutions? The *Gazette*'s early history provides an opportunity to explore the institutions and conditions necessary to promote a free press and how, when exerting the right to publish, the press influences the development of democracy.

While the founding of the *Gazette* has been the subject of many scholarly studies, this study is the first to undertake a detailed analysis of the newspaper's contents. What kinds of news items, opinions and literary works were published, and what do they tell us about early Nova Scotia and its first citizens? The role of newspapers in moulding public opinion, disseminating democratic ideas and fostering political debate has been studied in Upper Canada in the early nineteenth century.<sup>53</sup> Did the *Gazette* contribute to the development of a similar public sphere<sup>54</sup> in early Nova Scotia and, if so, what was its impact? How were contemporary notions of news, journalism and press freedom reflected in the newspaper's pages? What does the material published in the *Gazette* reveal about the information and criticism the colony's administrators considered appropriate? Were major events and controversies ignored and, if so, why? Finally, what was Bushell able to publish in defiance of his censors and what does it tell us about the effectiveness of government efforts to control criticism and dissent?

This study will focus on the *Gazette*'s first nine years of publication, from its debut in 1752 until Bushell's death in 1761. While archival holdings of the *Gazette* for the 1750s are incomplete,<sup>55</sup> enough issues have survived to explore these questions and to suggest answers. The period selected was one of profound economic, social and political change in Nova Scotia, and this study will endeavour to place Bushell's accomplishments



and struggles within this historical context. It will examine the development of the press in Britain and the American colonies prior to the *Gazette*'s founding and during its early years of publication. It will investigate how Bushell ran the *Gazette*, both as a business and as a forum for presenting news and opinion. Finally, it will review the *Gazette*'s contents to assess whether John Bushell lived up to Y.Z.'s high hopes.

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## Endnotes

<sup>1</sup> It was common practice to identify contributors and correspondents to early newspapers by initials or pseudonyms. Printers also used pen names to disseminate their own opinions, either to shield themselves and their newspapers from criticism or libel actions, to create the illusion that the paper was generating a response from readers. Bushell may well have posed as Y.Z. to set the tone of the paper while patting himself on the back. An editorial note in the *Gazette*'s July 21, 1753 edition, explaining why half the paper was devoted to a discussion of the mercantile success of the Netherlands – “*that our Readers may see what great Things may be effected by Industry and Parsimony*” – was also signed Y.Z. One would expect such an explanation to come from the publisher, not a reader. In any event, the last two letters of the alphabet seem unlikely to be the initials of a real person.

Many early journalists, including the pioneering American printer and journalist Benjamin Franklin, wrote under pseudonyms. Franklin's stable of pen names included the initials A.A. as well as Silence Dogood, Caelia Shortface, Anthony Afterwit, Alice Addertongue, Martha Careful, Polly Barker and Richard Saunders (of *Poor Richard's Almanac* fame). See H.W. Brands, *The First American: The Life and Times of Benjamin Franklin* (New York: Anchor Books, 2002), 120-1, 135, 203. Joseph Howe, when he “tired of editorial restraint and its attendant cant and humbug,” wrote under the pen name Fred Maple. He also published bits of verse “signed with four stars.” Letter, Howe to unidentified recipient, May 19, 1827, reproduced in J.A. Chisholm, “Hitherto Unpublished Letters of Joseph Howe,” *Dalhousie Review*, vol. 12 no. 3, 313.

<sup>2</sup> *Halifax Gazette*, March 30, 1752.

<sup>3</sup> The *Quebec Gazette*, first published in 1764, was long thought to be Canada's first newspaper. It was not until 1865 that one of Nova Scotia's earliest historians, Beamish Murdoch, noted that a 1754 reference in government correspondence to the *Halifax Gazette* was “perhaps the earliest notice extant of a newspaper published in Nova Scotia.” Murdoch, *A History of Nova Scotia, or Acadie*, vol. 2, (Halifax: James Barnes, 1865), 234. Other writers picked up on Murdoch's discovery – see, for instance John George Bourinot, *The Intellectual Development of the Canadian People: An Historical Review* (Toronto: Hunter, Rose & Co., 1881), 54 – but the *Gazette*'s establishment in 1752 was not confirmed until the mid-1880s. Alexander Lawson, the owner of the Yarmouth, N.S., *Herald*, during a chance encounter with a fellow passenger on a steamer bound for Boston, learned that early editions of the *Gazette* were housed in the archives of the Massachusetts Historical Society. Intrigued, Lawson visited the society during his stay in Boston and discovered the only known copy of the *Gazette*'s inaugural issue of March 23, 1752. “The First Newspaper Published in Canada,” *The Canadian Antiquarian and Numismatic Journal*, vol. 12, no. 8 (July 1885), 128-30. See also Beauséjour, “Le premier journal publié au Canada,” *Bulletin des recherches historiques*, vol. 6, no. 7 (July 1900), 213-4, available on the Internet at <http://www.collectionscanada.ca/halifaxgazette/h28-2003-e.html>.

<sup>4</sup> It was renamed the *Royal Gazette* in the nineteenth century. Issues published since 2006 are available on

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the Internet at <https://www.gov.ns.ca/just/regulations/rg1/issues.htm>

<sup>5</sup> John Bartlet Brebner, *The Neutral Yankees of Nova Scotia: A Marginal Colony during the Revolutionary Years* (New York: Columbia University Press, 1937), 158-9.

<sup>6</sup> Jeffrey L. Pasley, *"The Tyranny of Printers": Newspaper Politics in the Early American Republic* (Charlottesville and London: University Press of Virginia, 2001), 24-5.

<sup>7</sup> G.A. Cranfield, *The Press and Society: From Caxton to Northcliffe* (London: Longman Group Ltd., 1978), 179.

<sup>8</sup> Most eighteenth-century American newspapers "settled into the habit of relying on each other, on foreign papers, and on private letters for word of newsworthy occurrences." Mitchell Stephens, *A History of News* (Fort Worth: Harcourt Brace & Co., 1997), 222.

<sup>9</sup> The quotation is drawn from William Makepeace Thackeray, *The History of Pendennis*, (1848-50) chapter 36. "In the political department of the paper Mr. Pen [Arthur Pendennis] did not take any share; but he was a most active literary contributor. The *Pall Mall Gazette* had its offices . . . in Catherine Street, in the Strand, and hither Pen often came with his manuscripts in his pocket, and with a great deal of bustle and pleasure; such as a man feels at the outset of his literary career, when to see himself in print is still a novel sensation, and he yet pleases himself to think that his writings are creating some noise in the world."

<sup>10</sup> See Donald F. Chard's entries for Green and Bushell in *Dictionary of Canadian Biography*, available on the Internet at <http://www.biographi.ca>

<sup>11</sup> Alfred McClung Lee, *The Daily Newspaper in America: The Evolution of a Social Instrument* (New York, Octagon Books, 1973), 711.

<sup>12</sup> D.C. Harvey, "The Intellectual Awakening of Nova Scotia," in G.A. Rawlyk, ed., *Historical Essays on the Atlantic Provinces* (Toronto: McClelland & Stewart, 1967), 103-4.

<sup>13</sup> "Historically," Peter Desbarats has observed, "Canadian journalism has been closer to Main Street, U.S.A., than to Fleet Street." Desbarats, *Guide to the Canadian Media* (Toronto: Harcourt Brace Jovanovitch, Canada, 1990), 1.

<sup>14</sup> Pasley, 2.

<sup>15</sup> The most comprehensive are Wilfred H. Kesterton, *A History of Journalism in Canada* (Toronto: McClelland and Stewart, 1967); Paul Rutherford, *The Making of the Canadian Media* (Toronto: McGraw-Hill Ryerson, 1978); and Douglas Fetherling, *The Rise of the Canadian Newspaper* (Toronto: Oxford University Press, 1990). Walter Stewart, ed., *Canadian Newspapers: The Inside Story* (Edmonton: Hurtig Publishing, 1980) offers insights into the histories of the country's major newspapers and newspaper chains.

<sup>16</sup> See Rutherford, *A Victorian Authority: The Daily Press in Late Nineteenth-century Canada* (Toronto: University of Toronto Press, 1982), and Minko Sotiron, *From Politics to Profit: The Commercialization of Canadian Daily Newspapers, 1890-1920* (Montreal: McGill-Queen's University Press, 1997).

<sup>17</sup> Rutherford, "Making the News," *Acadiensis*, vol. 12 no. 1 (Autumn 1982), 136-44.

<sup>18</sup> William J. Buxton and Catherine McKercher, "Newspapers, Magazines and Journalism in Canada: Towards a Critical Historiography." *Acadiensis*, vol. 28 no. 1 (Autumn 1998), 103-26.

<sup>19</sup> *Ibid*, 106.

<sup>20</sup> George Boyce, James Curran and Pauline Wingate, eds., *Newspaper History from the Seventeenth*

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*Century to the Present Day* (London: Constable, 1978), 13-4.

<sup>21</sup> J. Herbert Altschull, *From Milton to McLuhan: The Ideas Behind American Journalism* (New York: Longman, 1990), 4.

<sup>22</sup> Kesterton, *History of Journalism*, 9.

<sup>23</sup> Rutherford, *Canadian Media*, 6.

<sup>24</sup> Fetherling, 4.

<sup>25</sup> An example is W.S. Wallace's conclusion that "the first journalists in British North America had very little influence of any sort. They were in most cases established under government auspices, and depended mainly on government advertising and patronage for their support." Wallace, "The Journalist in Canadian Politics: A Retrospect." *Canadian Historical Review*, vol. 22 no. 1 (March 1941), 15. Five decades later, Peter Desbarats wrote that early newspaper proprietors were "dependent for revenue mostly on the printing of government announcements. Most of the advertising and much of the news in these early newspapers was of an official nature." Desbarats, 4. The most recent assessment of journalism in early Canada asserts that the *Gazette* during Bushell's tenure "was always careful to pay respect to colonial authorities." Cecil Rosner, *Behind the Headlines: A History of Investigative Journalism in Canada* (Don Mills, Ont.: Oxford University Press, 2008), 16.

<sup>26</sup> Lord Denning, *Landmarks in the Law* (London: Butterworths, 1984), 283.

<sup>27</sup> Joseph A. Chisholm, ed., *The Speeches and Public Letters of Joseph Howe*, vol. 1 (Halifax: Chronicle Publishing Co., 1909), 36-7.

<sup>28</sup> Kesterton, *History of Journalism*, 21.

<sup>29</sup> Quoted in J. Murray Beck, "A Fool for a Client": The Trial of Joseph Howe." *Acadiensis*, vol. 3 no. 2 (Spring 1974), 39.

<sup>30</sup> Kesterton, *The Law and the Press in Canada* (Ottawa: Carleton University Press, 1984), 3. A century after the trial a Nova Scotia chief justice, Joseph A. Chisholm, noted bluntly that "the law is not changed by the verdict of juries." Chisholm, "The King v. Joseph Howe: Prosecution for Libel." *Canadian Bar Review*, vol. 13 no. 8 (October 1935), 592.

<sup>31</sup> Beck, "Trial of Joseph Howe," 39.

<sup>32</sup> Barry Cahill has portrayed the verdict as the first application in British North America of *Fox's Libel Act* of 1792, a British statute that was a major step toward press freedom. The act allowed the jury to decide whether a published statement was libellous – a decision previously left to the presiding judge. Another scholar, Lyndsay Campbell, has argued that Howe advanced the then-novel defence of qualified privilege by contending he had a duty to inform his readers about a matter of intense public interest. Like Cahill, she concluded Howe's acquittal gave Nova Scotia's press greater freedom to comment on political issues without fear of criminal prosecution. See Cahill, "*R. v. Howe* (1835) for Seditious Libel: A Tale of Twelve Magistrates," in F. Murray Greenwood and Barry Wright, eds., *Canadian State Trials, Vol. 1, Law, Politics, and Security Measures, 1608-1837* (Toronto: University of Toronto Press, 1996), 547-75; and Campbell, "Licence to Publish: Joseph Howe's Contribution to Libel Law in Nova Scotia." *Dalhousie Law Journal*, vol. 29 (2006), 79-116.

<sup>33</sup> *Criminal Code*, R.S.C. 1985, c. C-46, sections 59, 296 and 298.

<sup>34</sup> For instance, it is not a seditious libel to criticize government policies or to point out "errors or defects" in the constitution, the legislative branch of government or the administration of justice. *Ibid*, section 60.

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<sup>35</sup> There were only 24 convictions for the offence in all of Canada from 1963 to 1973 and only four prosecutions resulted in published rulings between 1969 and 1984, leading researchers with the Law Reform Commission of Canada to conclude the “crime of defamatory libel is rarely prosecuted.” *Defamatory Libel: Law Reform Commission of Canada Working Paper 35* (Ottawa: Ministry of Supply and Services Canada, 1984), 47-9. Libel has become a matter largely for the civil courts, where an individual whose reputation has been falsely or unfairly attacked can sue for monetary damages.

<sup>36</sup> Quoted in John Tebbel, *The Media in America* (New York: New American Library, 1976), 90.

<sup>37</sup> See Marc A. Franklin, “An Introduction to American Press Law,” in Philip Anisman and Allen M. Linden, eds., *The Media, The Courts and the Charter* (Toronto: Carswell, 1986), 63-99.

<sup>38</sup> *Reference re Alberta Statutes*, [1938] Supreme Court Reports (S.C.R.) 100, at 133, 145-6.

<sup>39</sup> *Boucher v. The King*, [1951] S.C.R. 265 at 288; *Switzman v. Elbling and the Attorney-General of Quebec*, [1957] S.C.R. 285.

<sup>40</sup> *An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms*, 8-9 Elizabeth II, c. 44, section 1.

<sup>41</sup> *Canadian Charter of Rights and Freedoms, Part 1 of the Constitution Act, 1982*, R.S.C. 1985, app. II, no. 44, sections 1 and 2(b).

<sup>42</sup> *Blackstone Commentaries*, (1769), IV, xi, 151, cited in William H Wickwar, *The Struggle for the Freedom of the Press, 1819-1832* (New York: Johnson Reprint Corp, 1972), 15.

<sup>43</sup> Lee, 711.

<sup>44</sup> *New-York Weekly Journal*, January 28, 1734/5, quoted in C. Edward Wilson, *Teeming Invective: 300 Years of Vigorous Journalism* (London, Ont.: Western Journalism Library, University of Western Ontario, 1976), 33.

<sup>45</sup> Leonard W. Levy, ed., *Freedom of the Press from Zenger to Jefferson: Early American Libertarian Theories* (Indianapolis: Bobbs-Merrill Co., 1966), 59.

<sup>46</sup> Tebbel, one of many historians to make this point, provides a summary of the Zenger trial and its aftermath at 24-32.

<sup>47</sup> Douglas Lochhead, “Anthony Henry,” *DCB*.

<sup>48</sup> Kesterton, *History of Journalism*, 6.

<sup>49</sup> Fetherling, 4; Eric Haworth, *Imprint of a Nation* (Toronto: Baxter Publishing Co., 1969), 35.

<sup>50</sup> Letter, Howe to unidentified recipient, May 2, 1824, in Chisholm, “Unpublished Letters,” 310.

<sup>51</sup> Leonard Woods Labaree, ed., *Royal Instructions to British Colonial Governors 1670-1776*, vol. 2 (New York: Octagon Books, 1967), 496, 927.

<sup>52</sup> Fredrick Seaton Siebert, Theodore Peterson and Wilbur Schramm, *Four Theories of the Press* (Urbana: University of Illinois Press, 1956), 1-2.

<sup>53</sup> Jeffrey L. McNairn, *The Capacity to Judge: Public Opinion and Deliberative Democracy in Upper Canada, 1791-1854* (Toronto: University of Toronto Press, 2000).

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<sup>54</sup> The public sphere, a concept first articulated by German philosopher and sociologist Jürgen Habermas, refers to forums where people gather, physically or through the media, to publicly discuss events and issues. Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge, Mass.: MIT Press, 1989).

<sup>55</sup> Thirty of the forty editions published from March 23 to December 30, 1752 have survived. The *Gazette*'s files for 1753 and 1754 are nearly complete; all but sixteen of the ninety-six editions published between January 6, 1753 and November 30, 1754 are extant. The only issues available for the remaining six years of Bushell's tenure are three published in 1755 and one in 1758. In all 114 issues of the *Gazette*, available on microfilm at Nova Scotia Archives and Records Management, were examined for this study. For inventories of *Gazette* holdings, see Marie Tremaine, *A Bibliography of Canadian Imprints 1751-1800* (Toronto: University of Toronto Press, 1952), 601, and *Nova Scotia Newspapers: A Directory and Union List, 1752-1988* (Halifax: Dalhousie University School of Library and Information Studies, 1990), 173. Online catalogues of newspapers held by the British Museum (<http://www.bl.uk/catalogues/newspapers/welcome.asp>) and the Massachusetts Historical Society (<http://www.masshist.org/library/abigail.cfm>) were searched, but no additional issues were found.

## Chapter 1

### **“The great Bulwark of Liberty”: Press Freedom in Britain to the 1750s**

“Freedom of Speech,” the essayist Cato declared in the pages of the *London Journal* in the early 1720s, “is the great Bulwark of Liberty; they prosper and die together: And it is the great Terror of Traitors and Oppressors.” Without a free press to disseminate ideas and inform the public, argued Cato – the pseudonym of influential Whig writers John Trenchard and Thomas Gordon – there could be no freedom of speech and “no such thing as publick liberty.”<sup>1</sup> A free and vigilant press was the surest check on government corruption and abuse of the power, Trenchard and Gordon argued in another Cato offering, as “Only the wicked Governors of Men dread what is said of them.”<sup>2</sup> In almost 150 “Letters of Cato” published between 1720 and 1723, Trenchard and Gordon popularized Enlightenment notions of the role of the press, the importance of open, informed debate and the right of the governed to challenge and criticize those in power. “Cato,” noted American press historian David Copeland, “believed that only through a free and open press could government operate correctly, because in no other way could a king or a legislature know what the people thought.”<sup>3</sup> And if the people were being poorly or corruptly governed, the press had a duty to bring these abuses to the public’s attention. “The exposing therefore of publick wickedness ... is a duty which every man owes to truth and his country,” argued Cato. While writers and publishers might abuse this privilege and unfairly attack those in power, he added, this was a necessary evil. “I would rather many libels should escape, than the liberty of the press should be infringed.”<sup>4</sup>

By the 1720s British journalists and newspaper publishers faced few restrictions

on their work, affording Trenchard and Gordon the latitude to extol the benefits of a free press. For most of the previous two centuries, however, anyone who expressed ideas such as these in print risked imprisonment at best, a possible death sentence at worst. The idea that the press should be free of censorship, let alone free to pass judgment on those in power, developed slowly in Britain. It was first advanced by the Puritans and other religious dissenters, who sought tolerance of their faiths. It was the mantra of Enlightenment thinkers who promoted the rights of the individual and argued that government was subservient to the governed. Most of all, it was an inevitable by-product of Parliament's long struggle for supremacy over the monarchy.

Printing came to Britain in 1476, a quarter-century after Johannes Gutenberg perfected the use of moveable type to produce multiple copies of books, pamphlets and other written works. That year William Caxton, "an author, translator, and patron of literature," established a press at Westminster and appears to have published without interference or the approval of the Catholic Church or the king. Print shops were soon established in London and Oxford and, by 1523, England boasted at least thirty-three printers and booksellers.<sup>5</sup> At this point, the state took steps to control the technology and its ability to rapidly spread knowledge and ideas. "The development of the printing press as a critical and possibly subversive force could not be tolerated," G.A Cranfield noted in his overview of British press history, and "authority sought to control this new threat."<sup>6</sup> The challenge came in the form of the Reformation works of Martin Luther, which crossed the English Channel in the 1520s; in an age when church and state were one, Luther's attacks on Catholicism were an attack on the government as well. Henry VIII invoked the royal prerogative to control the press, beginning in 1528 with regulations to control foreign printers working in England.<sup>7</sup> A ban on importing printed works "against

the faith catholic” in 1529 was followed a year later with a licensing system that allowed the clergy to vet all religious works produced by English printers, to ensure none contained ideas contrary to the teachings of the church.<sup>8</sup> The licensing requirement was extended to all printed works in 1538, after Henry’s break with Rome.<sup>9</sup>

Elizabeth I reinforced and formalized the licencing system, adopting her father’s view that “the peace of the realm demanded the suppression of all dissenting opinion.”<sup>10</sup> In 1559, a year after assuming the throne, she decreed that royal and church authorities must approve all books before publication. The Stationers Company, a newly created association of printers, was empowered to enforce the regulations. Using the Stationers Company – a body dedicated to protecting its members from competitors – to shield the government from dissent has been described as “a masterstroke of Elizabethan politics.”<sup>11</sup> The company’s role expanded in 1586, when a new royal decree confirmed its powers to search print shops and to seize printed materials, presses and equipment. Printers could only operate in London and the university towns of Oxford and Cambridge, and limits on the number of master printers, apprentices and presses reinforced the Stationers’ monopoly. The Archbishop of Canterbury and the Bishop of London approved all religious works before publication, while the judiciary vetted law books. The Court of Star Chamber – notorious for affording few procedural safeguards to defendants – was given the task of punishing those who wrote or published unlicensed works. Violators risked fines, imprisonment and the loss of presses and type.<sup>12</sup>

The Tudor era marked the zenith of the state’s efforts to control printing in Britain. The licensing system instituted by Henry VIII and perfected by Elizabeth I reflected an authoritarianism that permeated religion, society and politics. Rulers ruled, subjects obeyed. Truth “was conceived to be, not the product of the great mass of people,



but of a few wise men who were in a position to guide and direct their fellows.”

Government viewed printing as a vehicle to disseminate the information those in power thought the populace should know; the role of printers was to support and advance the government’s policies and goals. The press was “a servant of the state responsible for much of its content to the power figures in charge of government at any given moment.”

Licensing created a system that benefited printers, who could punish competitors, and the state, which could control dissent. “Publishing was thus a sort of agreement between power source and publisher, in which the former granted a monopoly right and the latter gave support.”<sup>13</sup>

The courts were also used to suppress dissent. Treason, a capital offence, was rarely used against printers; a notable exception was William Carter, executed in 1584 for issuing a publication the authorities claimed could incite assassins to attack the queen.<sup>14</sup> It was too difficult to convince jurors to send someone to the gallows for words as opposed to overt acts of rebellion. In its place, the law of seditious libel became the weapon of choice to combat “the irritating flea-bites of the dissident and the nonconformist.”<sup>15</sup>

*Scandalum Magnatum*, a medieval statute dating to 1275, had long been used to suppress rumours and false news about the monarch and his government. The Star Chamber refined and broadened the crime in the 1606 case of *de Libellis Famosis*, which established that true statements were as blameworthy as lies. Any attack on the government or its officials could be deemed a libel, regardless of whether the criticism had merit; the offence was damaging the state’s reputation. “The greater the truth, the greater the libel” became the cautionary maxim for publishers who dared to stray into the realm of politics. Violators faced fines, imprisonment or corporal punishments including the pillory, whipping and branding.<sup>16</sup> Seditious libel was the state’s most effective

weapon against publishers in the reigns of James I and his son, Charles I, and “came in time to embrace all types of public criticism and censure. Whatever the authorities disliked was considered a basis for a prosecution for sedition.”<sup>17</sup>

The licensing system remained in place when James I, the first of the Stuart monarchs, ascended to the throne in 1603. Only fifteen presses operated with official approval in England by 1615,<sup>18</sup> but the state could not completely control the flow of printed information. Tradesmen barred from doing legitimate printing work defied the Stationers’ monopoly. Some members of Parliament asserted the right to discuss affairs of state. Religious dissenters mounted the most serious challenge to press restrictions. Puritans and other Protestant sects demanding church reform, as well as Catholics who objected to the Protestant ascendancy, issued unauthorized books and pamphlets from unlicensed presses. In the words of Fredrick Siebert, author of the definitive study of press freedom in Britain prior to 1776, “the elaborate structure erected by the Tudors for the control of the press was being subjected to stresses which it could not long withstand.”<sup>19</sup>

As well, people were hungry for news of important people and events, an urge to know and understand that is as old as humanity itself.<sup>20</sup> By the dawn of the seventeenth century, “there arose the sense of a world of public affairs on which citizens could take intellectual and moral positions,” noted newspaper historian Anthony Smith. “The ‘King’s affairs’ were now things of common concern. It was interesting to hear about the affairs of other countries, affairs which could have an important bearing on the possibilities of trade, on the rise and fall of dynasties, on the recruiting and demobilization of armies.”<sup>21</sup> A growing and increasingly powerful class emerged – professionals, merchants, entrepreneurs, bankers and manufacturers, as well as a rising

middle-class of shopkeepers and craftsmen, all with a stake in the conduct of public affairs. “With the growth of trade and industry, state policy came to have an importance for the growing bourgeoisie which it had not had in a society of small-scale household production and retailing .... In addition to any independent desire for greater democratic influence, people needed to know what the state was doing or failing to do and to influence it as far as they could.”<sup>22</sup> This need to know led to the creation by the eighteenth century of a public sphere, a concept first articulated by German philosopher and sociologist Jürgen Habermas to describe forums where people publicly discuss and debate the events and issues of the day. Coffeehouses and other gathering places provided a physical space for the formation of public opinion while the press, with its ability to convey information and opinions to a wide audience, became “the public sphere’s preeminent institution.”<sup>23</sup>

The demand within England for news, particularly news of wars and political intrigues in foreign lands, was filled by some of the earliest printed periodicals.<sup>24</sup> Corantos – early Dutch newspapers<sup>25</sup> filled with European news – began circulating in England in 1620. Printed news was subject to the same licensing restrictions as books and pamphlets, however, and they were quickly suppressed. “To publish news was an interference with the affairs of State,” noted an early history of English journalism, and “royal permission had directly or indirectly to be obtained before any news could be published.”<sup>26</sup> In 1621 printer Nicholas Bourne and bookseller Nathaniel Butter were authorized to print and distribute, in England, foreign news translated from the corantos, a monopoly they enjoyed until 1632.<sup>27</sup> Publication of domestic news was prohibited and restrictions on all forms of printing were tightened in 1637, when Charles I issued a new Star Chamber decree. To plug loopholes in the Elizabethan decree, licensors were

required to vet all sections of books and pamphlets and retained a manuscript copy to be checked against the published version. Reprints of licensed works also required approval, to ensure no changes were made in an effort to evade the regulations. The number of master printers in Britain was limited to twenty and only four foundries were authorized to produce type. In addition, printers were required to post a bond of £300 to ensure they did not publish unlicensed works.<sup>28</sup>

The new decree soon fell victim to the struggle between Charles I and Parliament as England descended into civil war. The defiant Long Parliament abolished the Star Chamber in July 1641 and, “at one fell swoop, the whole of the licensing system was abolished” as well.<sup>29</sup> For the first time in more than a century, printers were free to publish without licence. Newspapers and pamphlets flourished and domestic news took precedence. At least sixty-seven new periodicals appeared in 1642 and 1643 carrying news of Parliament’s deliberations and the king’s responses.<sup>30</sup> By another count, the total number of newspapers in circulation rose from four in 1641 to just over 400 in 1643 and peaked at 722 in 1645.<sup>31</sup> Parliament, however, had no intention of creating a free press and asserted the right to regulate printing for the same reasons as the monarchy had since the time of Henry VIII – “in the interests of the state and of religion.”<sup>32</sup> In June 1643, in response to the appearance of “many false forged, scandalous, seditious, libellous and unlicensed Papers, Pamphlets and Books to the great defamation of Religion and government,” Parliament issued an order reviving the licensing system. All printers and publications were to be registered with the Stationers Company, which switched its allegiance from the king to Parliament and regained the right to search print shops, seize unlicensed printed matter and destroy presses and type. Parliamentary officials enjoyed similar powers, and in place of the Star Chamber those arrested were to be brought before

Parliament or its examining committee for punishment.<sup>33</sup>

The resumption of censorship prompted John Milton, a Puritan writer and poet, to compose what has been described as “one of the earliest and finest statements advocating and defining the liberty of the press” and “perhaps the most stirring of all challenges to censorship written in the English language.”<sup>34</sup> *Areopagitica: A Speech for the Liberty of Unlicensed Printing* appeared in 1644, after Milton published two controversial pamphlets on divorce. In it, he demanded the right to speak and publish freely and insisted Parliament had nothing to fear from honest criticism. “[W]hen complaints are freely heard, deeply considered, and speedily reformed, then is the utmost bound of civil liberty attained,” he wrote. “For he who freely magnifies what hath been nobly done, and fears not to declare as freely what might be done better, gives you the best covenant of his fidelity.” In a free exchange of information ideas, rational men would be able to distinguish falsehood from truth, and the latter would inevitably prevail. Truth, Milton asserted,

needs no policies, no stratagems, no licensings to make her victorious .... And though all the winds of doctrine were let loose to play upon the earth, so truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and falsehood grapple; who ever knew truth put to the worse, in a free and open encounter.<sup>35</sup>

Flaws in Milton’s logic – truth can be subjective and lies and misinformation may remain undetected and uncorrected – prompted one observer to describe these views as “wildly utopian.”<sup>36</sup> Yet his concept of a “marketplace of ideas” would become a central theme in the debate over freedom of the press. To Milton’s mind, “good and useful concepts can only be identified by testing them in an open marketplace of ideas, where all ideas –

good, bad, or indifferent – compete for public attention and acceptance.”<sup>37</sup> He stopped short, however, of advocating freedom of speech for all. Catholics and others he considered heretics – those promoting “popery, and open superstition,” as he phrased it<sup>38</sup> – should not be tolerated, which makes sense of his eventual appointment, in 1651, as Cromwell’s official censor of newsbooks. “Milton wanted freedom of discussion for serious-minded men who held honest, although differing opinions,” Siebert noted. “To him, both Roman Catholic literature and ephemeral journalism were beyond the pale  
 ....”<sup>39</sup>

While Milton’s stirring words have endured, some of his lesser-known contemporaries envisioned a world with an unfettered press. Samuel Hartlib, a friend of Milton, predicted in 1641 that “the art of Printing will so spread knowledge that the common people, knowing their own rights and liberties will not be governed by way of oppression ....”<sup>40</sup> The year *Areopagitica* appeared William Walwyn, a leader of a political faction known as the Levellers, published a tract demanding “That the Presse may be free for any man.”<sup>41</sup> Five years later John Lilburne, another Leveller, argued that, “if Government be just in its Constitution, and equal in its distributions, it will be good, if not absolutely necessary for them, to hear all voices and judgments, which they can never do, but by giving freedom to the Press.”<sup>42</sup> In Siebert’s opinion, “[n]owhere in the literature of liberty can be found a more comprehensive or more logical statement of the argument for liberty of the press.”<sup>43</sup>

The views of Milton and the Levellers failed to carry the day. An official was appointed to license newspapers and printers were searched and arrested. Unlicensed periodicals continued to appear during the chaos of the civil war, however, as England’s government evolved into a commonwealth and, in 1653, a protectorate under Oliver

Cromwell. “In these our dayes the meanest sort of people are not only able to write Etc. but to argue and discourse on matters of highest concernment,” one newsbook contributor noted in 1649, “and thereupon do desire that such things which are most remarkable may be truly committed to writing and made publique.”<sup>44</sup> The flood of publications subsided, but a precedent was established. “[O]ne could see at this time, in both newssheets and pamphlets, how the exchange of ideas might play out in the realm of public opinion where dialogue was not suppressed,” historian David Copeland has argued. “Britons were not ready to allow complete and open debate on matters political and religious, but the foundation for doing so had been laid.”<sup>45</sup> Cromwell instituted fresh orders in 1655 to prosecute unlicensed printers and suppress “all news-books except those licensed by the Protector or his Council.” The new regulations were strictly enforced and unauthorized news publications virtually disappeared.<sup>46</sup>

The restoration of the monarchy under Charles II continued what one historian has termed “a bleak period for English journalism.”<sup>47</sup> The Printing Act of 1662 re-established licensing restrictions and the limits on the number of printers and presses set out in the Star Chamber decree of 1637. The Star Chamber itself was not revived, however, and the power to control printing remained with Parliament.<sup>48</sup> The monopoly to disseminate news was also reinstated and granted to Sir Roger L’Estrange, the official in charge of licensing the press, who began publishing two newspapers in 1663 with the words “With privilege” under their titles to flag their official status. These papers gave way to a new official newspaper, the *London Gazette*, which began publication in 1665 in Oxford and moved to the capital the following year, after the Great Fire. The *Gazette* published only foreign news, official proclamations and government advertisements; a handful of other papers were allowed to publish but, like the *Gazette*, none offered English readers news of what

was happening within their country.<sup>49</sup>

With domestic news banned in print, people circulated hand-written newsletters and gathered at coffeehouses to exchange information and opinions. The first coffeehouses opened in London and Oxford in the 1650s and their numbers and popularity exploded. They were “filled with loquacious men” and “the news they brought with them ... Londoners would often visit more than one coffeehouse each day to sit, drink, and exchange news.”<sup>50</sup> They created a verbal public sphere, as Habermas noted, in the absence of a printed one.<sup>51</sup> To control this new forum for expressing criticism and dissent, the government issued a proclamation in 1675 “for putting down and suppressing all coffeehouses,” but the order was rescinded when operators agreed to report to the government any libels circulated among their patrons.<sup>52</sup>

Parliament allowed the Printing Act to lapse in 1679, unleashing a fresh deluge of publications. Among them were newspapers and pamphlets attacking the king’s brother, a Catholic and the heir to the throne (the future James II), and spreading wild rumours of a “Popish Plot” to enslave the country. Charles II consulted the judiciary, which rendered the opinion that the sovereign had the authority to ban the publication of unlicensed newspapers and pamphlets “as manifestly tending to the Breach of the Peace, and disturbance of the Kingdom.”<sup>53</sup> A licensing proclamation was duly issued and Benjamin Harris, Henry Care and other publishers fanning anti-Catholic hysteria were prosecuted for seditious libel. James II, who succeeded his brother in 1685, issued proclamations to suppress unlicensed works and Parliament reinstated the Printing Act, leaving only the government’s *London Gazette* authorized to publish news.<sup>54</sup> The new king, however, took over a polarized country with two distinct parties – the Tories who supported the government and their Whig opponents, who demanded political reforms. The political



and religious unrest culminated in the Glorious Revolution of 1688; James was ousted, replaced by Protestants William and Mary, and the Whigs took power.

Parliament passed a Bill of Rights in 1689 to abolish or curb royal powers abused in the reigns of James II and his predecessors. Citizens were granted the right to petition the king without fear of arrest or prosecution; freedom of speech was not to be “impeached or questioned” in Parliament or in the courts.<sup>55</sup> Notably absent was any mention of freedom of the press. There was “not one Syllable in it ... relating to the Liberty of the Press; that was a Thing not so much as dreamt of in those days,” a London newspaper noted on the fiftieth anniversary of its passage.<sup>56</sup> The omission was intentional; the new government was not about to give the opposition Tories free rein to attack its policies. Parliament renewed the licensing provisions of the Printing Act, giving the Whigs a crack down on publications supporting the Tories. And commenting on political affairs in print remained a risky business. The publisher of a book advocating the restoration of James II was hanged for treason in 1693.<sup>57</sup>

The licensing system abruptly collapsed in 1694, “almost by accident and without public notice.”<sup>58</sup> The legislation expired that year and the House of Commons failed to agree on the terms of an extension. The issue was not whether the press should be free; few, if any members of Parliament believed citizens had the right to comment on public affairs. In fact, bills to restore licensing were introduced on four occasions between 1695 and 1698. The Tories supported licensing while the Whigs resisted.<sup>59</sup> In the end the emergence of a two-party political system spelled the end of direct government regulation. “Both parties had already enjoyed periods of ascendancy, and both were aware of the part which the press played in bringing them to power. Each was afraid to trust the other with the administration of a licensing act,” Siebert concluded. “The rhetoric of the

times called for tactical expressions of political belief in the freedom of the press ... but in actual practice, it was universally recognized by political leaders that the stability of government as well as their continuance in office demanded some form of control over the media of communication.”<sup>60</sup>

The law of seditious libel continued to make it risky to publish anything that might offend those in power. The publisher of *The Observer*, John Tutchin, was prosecuted in 1704 for accusing naval officers of corruption and other attacks on the government. Chief Justice Holt used the occasion to define a seditious libel in terms that made it next to impossible for publishers to defend themselves:

If people should not be called to account for possessing the people with an ill opinion of the government, no government can subsist. For it is very necessary for all governments that the people should have a good opinion of it .... To procure animosities as to the management of it ... has always been looked upon as a crime, and no government can be safe without it.<sup>61</sup>

Parliamentary privilege was invoked to further restrict political reporting. The House of Lords imposed a complete ban on publishing its debates and other proceedings in 1660. The Commons took the same approach until 1681, when it authorized the publication of an official account of its votes. Commons debates remained off-limits to publishers, however, and after 1702 newspapers were no longer allowed to republish the official votes.<sup>62</sup> Newspapers commented on politics, but criticism tended to be circumspect and writers avoided direct attacks on specific politicians and policies. “What was not tolerated was an overt attempt to unseat the authorities themselves. The political machinery might be subject to question; the manipulators of that machinery were not.”<sup>63</sup>

Despite these restrictions, publishers rushed to fill the vacuum created by the

demise of the licensing system. The *Daily Courant*, England's first daily, was founded in London in 1702 with the avowed aim "to give news, give it daily and impartially" and to "relate only Matters of Fact, supposing other people to have Sense enough to make *reflections for themselves*."<sup>64</sup> Demand for news exploded; by 1710 as many as thirty-four papers published at least once a week served readers in London and the larger provincial cities.<sup>65</sup> Two influential titles, *The Tatler* (1709-11) and *The Spectator* (1711-14), offered witty, pointed essays exploring the social mores of the day. Coffeehouses proliferated – there were some 3,000 in London in the first decade of the eighteenth century – and became centres of political debate and criticism.<sup>66</sup> In a *Spectator* essay published in 1712, Joseph Addison marvelled at the "general thirst after news" among "our modern newsmongers and coffee-house politicians ... we long to receive further particulars, to hear what will be the next step, or what will be the consequence of that [step] which has been already taken"<sup>67</sup> People demanded the news "while it is still warm," he added in a later essay. "The pleasure of increasing in knowledge, and learning something new every hour of life, is the noblest entertainment of a rational creature."<sup>68</sup>

To Habermas, the end of pre-publication censorship marked a new stage in the development of the public sphere: "the press was for the first time established as a genuinely critical organ of a public engaged in critical political debate: as the fourth estate."<sup>69</sup> Almost overnight, in the words of historian Laurence Hanson newspapers seized the chance "to express views as well as to give news" and "began to encroach on the whole field of politics."<sup>70</sup> Enlightenment concepts, including freedom of speech and a free press, were taking hold. Milton's *Areopagitica* was rediscovered in the 1690s and his "marketplace of ideas" dovetailed with Thomas Hobbes' doctrine of a "social contract" between citizens and their rulers and John Locke's assertion of individual rights,

including the right to publish newspapers and to challenge corrupt or arbitrary rulers.<sup>71</sup> Newspapers took Enlightenment ideas mainstream and, as David Copeland notes in a reassessment of the Enlightenment's impact on the press, "there was no way to turn back the clock .... Once printing unleashed ideas, there was no way to control where those thoughts would take people."<sup>72</sup> As the eighteenth century progressed, England's press evolved from an authoritarian model to a libertarian one in which the press came to be seen as an advocate for the public and a watchdog on those in power.<sup>73</sup> At the same time, the development of a two-party political system meant political battles were fought publicly in the press. Tory and Whig factions used newspapers to appeal to the public for support, with the party in opposition risking prosecution for libel at the hands of the party in power. Public opinion mattered, Habermas observed, and factions outvoted in Parliament could "seek refuge in the public sphere and appeal to the judgment of the public." Government, in turn, used the press to defend its policies and advance its agenda. In this newly politicized public sphere, a permanent controversy raged between those in power and those seeking to unseat them.<sup>74</sup>

Newspapers were key weapons in these political battles. During the reign of Queen Anne (1702-1714), the official *London Gazette* – written and edited by government employees and proclaiming the motto "Published by Authority" – became the mouthpiece of the ruling Tories, with the two principal secretaries of state sharing its profits. Some of the greatest literary figures of the time wrote in the service of the Whigs or the Tories, or both. Daniel Defoe gravitated between the two camps, writing in support of the Whigs before and after a ten-year stint, beginning in 1704, as editor of the Tory-backed *Review of the Affairs of France*. Jonathan Swift of *Gulliver's Travels* fame also wrote at various times for each party.<sup>75</sup> By 1712 partisanship was so rampant in the press

that Joseph Addison – himself a political pen-for-hire – used a *Spectator* essay to attack the “abominable practice of party-lying”:

This vice is so very predominant among us at present, that a man is thought of no principles who does not propagate a certain system of lies. The coffee-houses are supported by them, the press is choaked with them, eminent authors live upon them ... half the great talkers in the nation would be struck dumb were this fountain of discourse dried up .... When we hear a party-story from a stranger, we consider whether he is a whig or a tory that relates it, and immediately conclude they are words of course, in which the honest gentleman designs to recommend his zeal, without any concern for his veracity. A man is looked upon as bereft of common sense, that gives credit to the relations of party writers ....<sup>76</sup>

Proposals to control this war of words re-surfaced in the last years of Anne’s reign. Stung by criticism of her foreign policy in the Whig press, the queen appealed repeatedly to Parliament for new legislation to regulate the press. A bill was finally introduced in 1712 to require the author’s name to appear on every piece of printed matter, making it easier to prosecute an offender for libel.<sup>77</sup> The measure, however, was not adopted. Addison, writing in *The Spectator*, acknowledged there was “nothing so scandalous to a government, and detestable in the eyes of all good men, as defamatory papers and pamphlets,” but cautioned that banning the then-fashionable practice of writing under a pseudonym “would not only destroy scandal, but learning.”<sup>78</sup> Newspapers had transformed the public sphere into a lively forum for political debate and Britons appear to have had little desire to turn back the clock and re-impose direct controls on the press.

Indirect controls were another matter. In 1712 the Tory government introduced

duties on paper, advertisements and newspapers and pamphlets – the latter subject to a tax of a halfpenny or penny per copy, depending on their size. Newspaper advertisements were also taxed and, to ensure compliance, publishers of newspapers and pamphlets were required to register with the government. The Stamp Act – so called because sheets of paper carried a reddish stamp in one corner to indicate the tax had been paid – ostensibly was designed to raise money needed to support Britain’s foreign wars. It has been more accurately described by historians as “a policing measure ... generally expected to shatter the newspaper press.”<sup>79</sup> Most books were exempt, however, and for Siebert this was proof the government’s main objective “was the suppression of the small ephemeral publications which were sniping at the policies of the ministry .... If the Stamp tax produced revenue, well and good; if it discouraged periodical publications, so much the better.”<sup>80</sup> These “taxes on knowledge,” as they came to be known, indeed discouraged publishers, who were forced to raise the per-copy price of a newspaper. Circulations declined and advertising revenue – by now a crucial source of income to many papers – dropped sharply. *The Spectator* and at least five other newspapers folded and the government likely achieved its target of reducing overall newspaper circulation from 45,000 copies to under 30,000.<sup>81</sup>

The Stamp Act proved to be a flawed device for regulating the press. While there was a decline in the number of papers sold, readers increasingly sought out or rented a copy at one of London’s many coffeehouses, inns or taverns.<sup>82</sup> An underground press thrived as small papers and pamphlets flouted the duties and published on unstamped paper.<sup>83</sup> And since the duties applied to all newspapers, including the government’s *London Gazette*, they were a double-edged sword that curbed the pro-Tory press as well as opposition papers.<sup>84</sup> Tory newspapers, in fact, appear to have borne the brunt of the

duties as the opposition papers took advantages of loopholes in the legislation. Many publishers expanded their papers to six pages, which meant they paid three shillings per edition rather than the onerous penny-per-copy duty. The flaw in the legislation was corrected in 1724, but by then most newspapers were on a firm footing and able to absorb the additional costs. The number of newspapers and other periodicals published in London dropped from eighty-two in 1724 to sixty-four just two years later, but rebounded to eighty-two in 1734. Papers scaled back to four pages from six and Siebert concluded none suspended publication as a direct result of renewed enforcement of the tax.<sup>85</sup> The newspaper duties were increased in 1757 to one-and-a-half pence per copy and two shillings per advertisement and, once again, most publications survived despite the increased tax burden.<sup>86</sup> By 1760 London boasted five daily newspapers, a half-dozen published three times a week and five weeklies, with a total circulation of 100,000.<sup>87</sup>

The pages of British newspapers offered more than political news. “Every morbid interest was captured by the papers, all bizarre occurrences, sexual outrage and romantic adventure,” notes an overview of world press history. “The newspapers went out to meet their readers.”<sup>88</sup> The more sensational the news, the better. Two elements, Addison suggested in 1712, made something newsworthy: a secret combined with “a dash of scandal.”<sup>89</sup> Shipwrecks, sudden deaths, storms, fires, murders and other crimes found a place in the newspaper. So did the mundane and the commonplace – lists of vessels entering and leaving harbour were a staple of papers published in port cities. The public’s insatiable appetite for news prompted publishers to hire newswriters to gather stories, cover events and attend trials; correspondents were retained to file regular reports on what was happening outside London.<sup>90</sup> Poems and short fiction culled from books, magazines or other newspapers, sometimes republished at the behest of readers, helped early

publishers fill their columns. Private letters, shared by their recipients, were an important source of news, but the single most important source of material was other newspapers.<sup>91</sup> Papers borrowed from one another without hesitation – and often without credit – in an informal news-exchange system that operated at the speed of the merchant sailing ships of the era. Months-old news from a foreign capital usually took precedence over events more recent and closer to home. The avalanche of news and other information brought the world to readers, who in turn came to depend on their daily, thrice-weekly or weekly fix of news, scandal, opinion and entertainment. The early eighteenth century saw the development of what Stephen Ward has termed the “public ethic” of newspapers: “Newspapers claimed to fulfill a host of public functions, such as informing, analysing, entertaining, and educating the people. They aimed to expose official folly and social pretence, represent public opinion, protect liberty, ‘answer’ misguided opinion, and act as a historian of the times.”<sup>92</sup>

Once it became clear the Stamp Act alone could not curb “misguided opinion” or stamp out the opposition press, the government resorted to direct ownership and subsidies to control the news. The *London Gazette* had been deployed as “a political tool” of the Tories during Anne’s reign; upon taking power the Whigs handed the editorship in 1714 to one of their supporters, *Daily Courant* publisher Samuel Buckley.<sup>93</sup> The *Gazette*’s bland rendering of the news and aversion to controversy, however, limited both its readership and impact. A typical two-page edition published in 1721 featured the king’s address to Parliament, a few dry snippets of news from foreign capitals, several official advertisements – including a reward for the capture of a highwayman who made off with the Bristol mail – and three-quarters of a page of bankruptcy and legal notices.<sup>94</sup> Despite the recruitment of a succession of skilled editors, including *Spectator* co-founder Richard



Steele, the *Gazette*'s circulation dropped from 6,000 copies a week in 1704 to about 2,000 after 1717.<sup>95</sup>

Robert Walpole's Whig ministries of the 1720s and 1730s consolidated their stranglehold on power by subsidizing a pro-government press. The Stamp Act drained revenue from newspapers, making them vulnerable to takeovers and their owners amenable to bribes.<sup>96</sup> To silence Trenchard and Gordon, who used their Cato essays in the *London Journal* to criticize the Whigs over the South Sea bubble debacle, the government simply bought the paper in 1722 and dispensed with their services.<sup>97</sup> By 1731 the government was spending as much as £20,000 per year to buy the allegiance of the *Journal*, *Daily Courant* and at least a half-dozen other London papers. Publishers who supported the government were further rewarded with free distribution of their papers through the post office.<sup>98</sup> The amount paid to newspapers had declined to about £5,000 a year by the time Walpole stepped down as prime minister in 1742.<sup>99</sup> While the practice of subsidizing the press ended that year, the government used patronage appointments and pensions during the 1740s and 1750s to buy-off prominent writers who were critical of its policies.<sup>100</sup>

Walpole's subsidies were designed largely to counter the rise of an influential opposition press led by *The Craftsman*. Founded in 1726 by a cadre of Tory politicians – including Viscount Bolingbroke, a former secretary of state credited with devising the Stamp Act<sup>101</sup> – *The Craftsman* was well written, widely read, profitable and a persistent critic of Whig policies. “It raised the whole tone of political controversy in the press,” Hanson wrote, “for the criticisms which it made were both pungent and well informed.” Habermas credited the paper with creating “political journalism in the grand style.”<sup>102</sup> While its avowed aim was to provide “a genuine account and information of all great

transactions of state,” *The Craftsman*’s true mission was to unite Tories and dissent Whigs opposed to Walpole’s government.<sup>103</sup> The administration was portrayed as bloated and corrupt; relentless personal attacks and lampoons depicted the prime minister as a money-grubbing tyrant. In one satirical essay the “great corruptor,” with his “bluff, ruffianly manner” and “a Smile, or rather a Snear” on his face, scattered handfuls of gold coins to appease his followers.<sup>104</sup> Another opposition journalist, Nathaniel Mist, mounted equally scathing attacks in his paper, *Mist’s Weekly Journal* (later *Fog’s Weekly Journal*). By the 1750s the *London Evening Post* rivaled *The Craftsman* as the leading opposition newspaper. The *Post* appealed to a wide readership with terse comments and satirical verses that were “easier to grasp,” and their frequent republication in Britain’s provincial press suggested they were “regarded as an accessible form of political comment.” Denied government patronage and subsidies, the opposition press relied on bold statements and lively writing to attract readers, advertisers and revenue.<sup>105</sup>

In power, the Tories had fought to reinstate licensing and introduced the Stamp Act. With the party mired in opposition, the Tory press converted to the cause of press freedom. By the late 1720s *The Craftsman*, echoing Cato, was describing liberty of the press as “the chief bulwark and support of Liberty in general” and “one of the greatest blessings of a free people.” Nathaniel Mist claimed in 1728 that “English men have always looked upon it as part of their right to speak and write upon public affairs.”<sup>106</sup> Government papers balked at the notion and belittled their opponents for encouraging readers to meddle in public affairs. In the blunt assessment of the *London Journal*, “the Liberty of the Press is not essential to a free Government.”<sup>107</sup> That said, the government was willing to tolerate criticism of religious, social and even political matters, even comment that was clearly unfair and abusive. Ridicule and scorn were heaped upon

individuals and minority groups – the Jews in particular – as well as those who adopted the fashions and manners of the hated French. “Corruption, of institutions, manners and morals, was often attacked, both generally and specifically,” Jeremy Black has noted. “There were many bitter attacks on aristocratic habits. Gambling was often denounced, and the fondness for foreign products, customs, servants and interests condemned.”<sup>108</sup>

The law of seditious libel was used to suppress extreme criticism of the government and its policies. Prosecution was “a day to day risk for the proprietors and printers of opposition newspapers,” a situation one writer termed “institutionalized harassment of the press.”<sup>109</sup> Printers and papers that supported the Jacobite cause, posing as they did a direct threat to the very foundation of the government, were a major target of libel actions, and a young apprentice was hanged in 1720 for printing a pamphlet supporting the Stuart claim to the throne.<sup>110</sup> *The Craftsman* and other Tory papers endured official harassment and a series of prosecutions for their attacks on the government. Nathaniel Mist was locked in the pillory and imprisoned in the early 1720s and in 1728 his pressman, compositor and two apprentices were prosecuted, as was an Exeter printer who republished some of Mist’s controversial work.<sup>111</sup> *Craftsman* printer Richard Francklin was acquitted of libel in 1729 but stood trial again in 1731 for publishing criticism of a peace treaty signed with France and Spain. Imprisoned for one year, he was also fined £100 and forced to post a £2,000 bond to ensure good behaviour. Francklin’s successor as printer of *The Craftsman*, Henry Haines, suffered a similar punishment in 1738.<sup>112</sup> Legal action short of prosecution could make a publisher’s life difficult as well. Successive secretaries of state used their power to issue general warrants to seize printing equipment and arrest publishers, printers, writers and others connected with newspapers the administration found troublesome. John Meres, who printed the

*London Evening Post*, for instance, was arrested and later released with a warning in 1740 for one of his many attacks on the government.<sup>113</sup> Enforcement was sporadic – by one count about seventy warrants were issued between 1715 and 1759, fewer than two a year – but those arrested faced costly legal battles and could spend months in jail awaiting trial or release.<sup>114</sup>

While legal threats gave some publishers pause, the popularity of the opposition press meant criticism was profitable; arrests and prosecutions were a cost of doing business. As satirist James Bramston asked in his 1733 poem *The Man of Taste*: “Can Statutes keep the British press in awe,/When that sells best, that’s most against the Law?”<sup>115</sup> Playing a game of literary cat-and-mouse, newspapers resorted to a variety of devices to attack the government without attracting arrest warrants. “The threat of prosecution forced newspapers to adopt an allusive style and an allegorical approach, rich in innuendo and code words and letters.”<sup>116</sup> England became Persia or some other exotic land, politicians’ names were blanked out and readers were invited to read between the lines. The government, for its part, found it increasingly difficult to mount successful prosecutions for libel. “[T]he spirit of prosecution has been suffered to run down for many years past,” the lord chancellor, the Earl of Hardwicke, noted in 1756, “for which one reason assigned has been the impossibility of getting Juries to convict.”<sup>117</sup> Acquittals embarrassed the administration and emboldened the opposition press. The conviction in 1754 of *London Evening Post* printer Richard Nutt for blaming the Whigs’ Glorious Revolution for “the miserable state of the nation” was an exception to an atmosphere of tolerance that was becoming the rule.<sup>118</sup> By the 1750s, Siebert contended, “it had become obvious that the technical rules of seditious libel were out of tune with the developing concept of the constitutional relationship between the government (and its officers) and

its subjects.”<sup>119</sup>

Britain at mid-century had rescinded or abandoned most measures employed to regulate the press at varying times – and with varying degrees of success – for more than two centuries. Censorship had evaporated with little fanfare in 1694. Enlightenment notions of individual liberty and government accountability, coupled with the development of a two-party electoral system, infused political debate into the evolving public sphere. The Walpole-era practice of directly subsidizing newspapers and writers had been discredited and largely abandoned. A feisty opposition press had become a fixture of British politics as Whigs and Tories vied to mould public opinion and win popular support. Prosecution for seditious libel remained an occupational hazard for newspaper proprietors, owners and writers, but the government was reluctant to risk turning printers into heroes or martyrs. Stamp Act duties remained in force but increasing readership and commercialization of newspapers offset the revenue lost. By 1750 British presses were turning out one newspaper a year for every Briton – an annual press run of 7.5 million.<sup>120</sup> Other forms of control would soon disappear. The practice of issuing general warrants of arrest and seizure against printers accused of libel was finally quashed by the courts in 1765. The House of Commons gave up a losing battle to prevent publication of its debates and proceedings in 1771, and the House of Lords followed suit four years later.

“English press traditions,” as Stephen Ward has pointed out, “have been the largest single influence on North American journalism.”<sup>121</sup> Unlike their British counterparts, American newspapers appeared at a time when Enlightenment ideas of democracy and free speech were already in wide circulation. The result was a press tradition that in many ways mirrored Britain’s but, in others, was unique to the political

realities of emerging colonial societies.

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## Endnotes

<sup>1</sup> Quoted from the *London Journal*, February 4, 1720/1, in Stephen J.A Ward, *The Invention of Journalism Ethics: The Path to Objectivity and Beyond* (Montreal and Kingston: McGill-Queen's University Press, 2004), 153.

<sup>2</sup> Quoted in Leonard W. Levy, *Freedom of the Press from Zenger to Jefferson: Early American Libertarian Theory* (Indianapolis: Bobbs-Merrill Co., 1966), xxiv.

<sup>3</sup> David A. Copeland, *The Idea of a Free Press: The Enlightenment and Its Unruly Legacy* (Evanston, Ill.: Northwestern University Press, 2006), 98. For a synopsis of Cato's letters and their impact on Enlightenment thought about press freedom, see Jeffrey A. Smith, *Printers and Press Freedom: The Ideology of Early American Journalism* (New York: Oxford University Press, 1988), 24-6.

<sup>4</sup> Quoted from the *London Journal*, June 10, 1721, in Copeland, *The Idea of a Free Press*, 99.

<sup>5</sup> Fredrick Seaton Siebert, *Freedom of the Press in England, 1476-1776: The Rise and Decline of Government Control* (Urbana: University of Illinois Press, 1965), 22-5.

<sup>6</sup> G.A. Cranfield, *The Press and Society: From Caxton to Northcliffe* (London: Longman Group Ltd., 1978), 1.

<sup>7</sup> Siebert, 27, 31.

<sup>8</sup> Copeland, *The Idea of a Free Press*, 28.

<sup>9</sup> Siebert, 48-9.

<sup>10</sup> Cranfield, 2.

<sup>11</sup> *Ibid*, 56-7, 64.

<sup>12</sup> *Ibid*, 61-2, 69-73; Anthony Smith, *The Newspaper: An International History* (London: Thames and Hudson Ltd., 1979), 23; J.B. Williams, *A History of English Journalism to the Foundation of the Gazette* (London: Longmans, Green and Co., 1908), 2.

<sup>13</sup> Siebert, Theodore Peterson and Wilbur Schramm, *Four Theories of the Press* (Urbana: University of Illinois Press, 1956), 2-3, 18.

<sup>14</sup> Siebert, 89-90, 265. Only two other printers were executed for treason in the two centuries that followed. Siebert, Peterson and Schramm, 23.

<sup>15</sup> Siebert, Peterson and Schramm, 23-4.

<sup>16</sup> Siebert, 118-20; Laurence Hanson, *Government and the Press, 1695-1763* (Oxford: Clarendon Press, 1936), 58; William H. Wickwar, *The Struggle for the Freedom of the Press, 1819-1832* (New York: Johnson Reprint Corp, 1972), 19-20, 24, 26-28.

<sup>17</sup> Siebert, Peterson and Schramm, 24.

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<sup>18</sup> Smith, *The Newspaper*, 23.

<sup>19</sup> Siebert, 103. See also Copeland, *The Idea of a Free Press*, 31-6.

<sup>20</sup> "It is difficult, if not impossible, to find a society that does not exchange news and that does not build into its rituals and customs means for facilitating that exchange." Mitchell Stephens, *A History of News* (Fort Worth: Harcourt Brace & Co., 1997), 8.

<sup>21</sup> Smith, *The Newspaper*, 18.

<sup>22</sup> William Outhwaite, *Habermas: A Critical Introduction* (Stanford, Calif.: Stanford University Press, 1994), 8.

<sup>23</sup> Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge, Mass.: MIT Press, 1989), 22-3, 32, 181. Habermas, writing in the 1960s, dated the advent of the public sphere to Britain in the late seventeenth century, but later scholars have traced its origins to the advent of imported newsbooks in the 1620s. See, for instance, Ward, 116.

<sup>24</sup> Two sets of newsbooks published in Germany in 1609 are considered the first newspapers, as judged by the criteria of regular and frequent publication, consistent format and variety of news stories. Stephens, 135.

<sup>25</sup> The word *newspaper* (*newes paper* was an early variant) entered the language in the 1660s. The earliest known reference was found in a 1667 letter noting that accounts of the proceedings of the British parliament had been published in "our News Papers." By the 1770s *London Packet* was referring to "newspaper reporters" covering the debates of the House of Commons and the term "newspaper story" was in use. *Oxford English Dictionary* entry for "newspaper," online edition, available at <http://dictionary.oed.com>. Mitchell Stephens, citing Alfred F. Robbins, "The Earliest Newspaper of English news," *Times Literary Supplement*, April 23, 1925, p. 284, traces the first use of the word "newes paper" slightly later, to a letter dated Sept. 10, 1670. Stephens, 314.

<sup>26</sup> Williams, 2.

<sup>27</sup> Siebert, 151-2; Cranfield, 6, 9.

<sup>28</sup> Siebert, 141-6; Williams, 2; A.L. Poole, *English Constitutional History from the Teutonic Conquest to the Present Time*, 9<sup>th</sup> ed. (London: Sweet & Maxwell, 1929), 737.

<sup>29</sup> Williams, 32.

<sup>30</sup> See the list of periodicals preserved in the British Museum in *ibid*, App. D, 219-26.

<sup>31</sup> Siebert, 203.

<sup>32</sup> *Ibid*, 192.

<sup>33</sup> The order is reproduced in John Milton, *Areopagitica and Tractate on Education* (New York: P.F. Collier & Son, 1969), 185-7.

<sup>34</sup> Andrew M. Osler, *News: The Evolution of Journalism in Canada* (Toronto: Copp Clark, 1993), 55; J. Herbert Altschull, *From Milton to McLuhan: The Ideas Behind American Journalism* (New York: Longman, 1990), 35.

<sup>35</sup> Milton, 189-90, 227-228. *Areopagitica* is reproduced in full on pages 189-232.

<sup>36</sup> Altschull, 38, 40.

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- <sup>37</sup> Osler, 57.
- <sup>38</sup> Milton, 229.
- <sup>39</sup> Siebert, 197.
- <sup>40</sup> Quoted in *ibid*, 192.
- <sup>41</sup> Quoted in Copeland, *The Idea of a Free Press*, 41.
- <sup>42</sup> Quoted in Siebert, 201.
- <sup>43</sup> *Ibid*.
- <sup>44</sup> *The Perfect Weekly Account*, January 24, 1649, quoted in Cranfield, 18-9.
- <sup>45</sup> Copeland, *The Idea of a Free Press*, 62.
- <sup>46</sup> Siebert, chap. 11. The quotation from Cromwell's order of August 1655 appears at 231.
- <sup>47</sup> Smith, *The Newspaper*, 41.
- <sup>48</sup> Siebert, 239-42.
- <sup>49</sup> *Ibid*, 293-5.
- <sup>50</sup> Stephens, 33, 35.
- <sup>51</sup> Habermas, 32.
- <sup>52</sup> Siebert, 296. The wording of the proclamation is reproduced in Cranfield, 20.
- <sup>53</sup> Williams, 3.
- <sup>54</sup> Siebert, 271-4, 299-300.
- <sup>55</sup> Section 9 of the Bill of Rights stated "That the freedom of speech, and debates or proceedings in Parlyament ought not to be impeached or questioned in any court or place out of Parlyament." Poole, 600. The Bill of Rights is reproduced in full at 599-601.
- <sup>56</sup> *Daily Gazetteer*, January 6, 1738, cited in Jeremy Black, *The English Press in the Eighteenth Century* (Philadelphia: University of Pennsylvania Press, 1987), 1. It has been suggested that freedom of the press is implicit in the Bill of Rights' overall protections of the individual from the abuse of power. See Siebert, Peterson and Schramm, 47.
- <sup>57</sup> Siebert, 268, 300.
- <sup>58</sup> Wickwar, 15.
- <sup>59</sup> Black, 10.
- <sup>60</sup> Siebert, 262-3, 305.
- <sup>61</sup> Ruling in *Rex v. Tutchin*, quoted in *ibid*, 271. Tutchin was convicted but escaped punishment on a technicality.



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<sup>62</sup> Ibid, 288.

<sup>63</sup> Siebert, Peterson and Schramm, 26.

<sup>64</sup> *Daily Courant*, March 11, 1702, cited in Ward, 148.

<sup>65</sup> One writer sets the figure at twenty. See Michael Harris, "The Structure, Ownership and Control of the Press, 1620-1780," in George Boyce, James Curran and Pauline Wingate, eds., *Newspaper History from the Seventeenth Century to the Present Day* (London: Constable, 1978). 83-4. The higher figure comes from Ward, 137. Jeremy Black cautions that gaps in the archival record and a large number of failed newspapers make it difficult to accurately estimate the number of newspaper published in eighteenth century England in a given year. Black, 14-15.

<sup>66</sup> Habermas, 32.

<sup>67</sup> *The Spectator*, No. 452 (August 8, 1712), reproduced in *The Spectator; with a Biographical and Critical Preface, and Explanatory Notes* (London: George Routledge & Sons, 1900[?]), vol. 2, 387. See also John Richard Green, ed. *Essays of Joseph Addison* (London: Macmillan & Co., 1906), 157-8.

<sup>68</sup> *The Spectator*, No. 625 (November 26, 1714), in *The Spectator; with a Biographical and Critical Preface*, 429-30.

<sup>69</sup> Habermas, 58-60.

<sup>70</sup> Hanson, 2-3.

<sup>71</sup> For discussions of the impact of Enlightenment thought on the development of the press, see Copeland, *The Idea of a Free Press*, 46, 84-5, 88-92; Siebert, 196, 261-2; Osler, 58-60; Siebert, Peterson and Schramm, 13, 43-44.

<sup>72</sup> Copeland, *The Idea of a Free Press*, 93-5.

<sup>73</sup> For a detailed discussion of the libertarian press and its development, see Siebert, Peterson and Schramm, chap. 2.

<sup>74</sup> Habermas, 63-4.

<sup>75</sup> Siebert, 323, 325, 330-2.

<sup>76</sup> *The Spectator*, No. 507 (October 11, 1712), reproduced in *The Spectator; with a Biographical and Critical Preface*, vol. 2, 95.

<sup>77</sup> Siebert, 308.

<sup>78</sup> *The Spectator*, No. 451 (August 7, 1712), reproduced in *The Spectator; with a Biographical and Critical Preface*, vol. 2, 384.

<sup>79</sup> Harris, 84.

<sup>80</sup> Siebert, 309, 311; Siebert, Peterson and Schramm, 25. The duties remained in place until 1861.

<sup>81</sup> Siebert, 309, 314-5.

<sup>82</sup> The practice of hiring a newspaper at coffeehouses is noted in Smith, 58. There were 559 coffeehouses in

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London in 1739 and “most found it necessary to offer a selection of newspapers for their customers.” Harris, 91.

<sup>83</sup> Harris, 86.

<sup>84</sup> Hanson, 11-2.

<sup>85</sup> Siebert, 316-8.

<sup>86</sup> Ibid, 320-1.

<sup>87</sup> Smith, 56.

<sup>88</sup> Smith, 63.

<sup>89</sup> *The Spectator*, No. 457 (August 14, 1712), reproduced in *The Spectator; with a Biographical and Critical Preface*, vol. 2, 403.

<sup>90</sup> Ward, 125.

<sup>91</sup> Black, 87, 96.

<sup>92</sup> Ward, 145.

<sup>93</sup> Siebert, 325, 327.

<sup>94</sup> *London Gazette*, August 8-12, 1721.

<sup>95</sup> Siebert, 325-7.

<sup>96</sup> Ibid, 317, 322.

<sup>97</sup> Hanson, 106-8.

<sup>98</sup> The government also used its control of the mail to restrict the distribution of opposition papers. Postal officials were instructed not to send out copies of the pro-Tory *London Evening Post* in 1733 and 1754, on eve of general elections. Black, 138.

<sup>99</sup> Hanson, 109-110; Siebert, 339-43.

<sup>100</sup> Hanson, 117-121. The government resumed subsidizing newspapers in the 1780s. Siebert, 345.

<sup>101</sup> Siebert, 308-9.

<sup>102</sup> Hanson, 108; Habermas, 60; *The Craftsman* had a circulation of 12,000 in 1731. Smith, 62.

<sup>103</sup> *The Craftsman*, July 24, 1731, quoted in Hanson, 6; Cranfield, 41.

<sup>104</sup> *The Craftsman*, January 27, 1727, quoted in Cranfield, 40.

<sup>105</sup> The quotations are drawn from Black, 119-20. These points are also made in Cranfield, 42-5.

<sup>106</sup> Extracts from *The Craftsman* and *Mist's Weekly Journal* reproduced in Black, 120, 125.

<sup>107</sup> *London Journal*, October 5, 1728, quoted in *ibid*, 124.

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<sup>108</sup> Given the prevalence of “unjustified and vicious abuse” of individuals and minorities in eighteenth-century British papers, “a modern reader of the press may be forgiven for wondering whether there was not too little censorship and legal retribution, and for regretting that the machinery of governmental supervision and judicial action was apparently of limited effectiveness.” Black, 153, 155.

<sup>109</sup> Smith, *The Newspaper*, 61.

<sup>110</sup> Siebert, 366-7; Black, 126, 131, 163.

<sup>111</sup> Cranfield, 41; Black, 136; Siebert 382.

<sup>112</sup> Siebert, 382; Hanson, 19, 68-70.

<sup>113</sup> Black, 169.

<sup>114</sup> The number of general warrants issued by Whig secretaries of state to 1759 is calculated in Harris, 96. The impact of arrest and prosecutions for libel on a newspaper’s bottom line is discussed in Black, 158-61.

<sup>115</sup> Quoted in Hanson, 68.

<sup>116</sup> Black, 165.

<sup>117</sup> Hardwicke to Duke of Newcastle, August 29, 1756, cited in *ibid*, 168.

<sup>118</sup> Hanson, 72.

<sup>119</sup> Siebert, 383-4.

<sup>120</sup> Black, 105, 290.

<sup>121</sup> Ward, 100.

## Chapter 2

### **“Opposing arbitrary Power ... by speaking and writing Truth”: Press Freedom in America to the 1750s**

Printing reached North America’s English-speaking colonies in 1638 – less than a decade after Puritans fleeing persecution in England founded the Massachusetts Bay Colony – when an imported press went into operation at Harvard College in Cambridge.<sup>1</sup> Its main output was religious and educational works – the earliest publications included a citizenship oath, an almanac and a book of psalms – but gradually expanded to include sermons, colonial laws, government orders and accounts of the Great Fire of London and the 1669 eruption of Mount Etna.<sup>2</sup> The Puritans understood the importance of exchanging knowledge and ideas, and recognized the press as a powerful tool to disseminate both. They used printing to promote their religious views in the New World as they had in the Old. “No other colony presented a climate that encouraged freedom of inquiry to the extent that Massachusetts did or was so favourable to freedom in printing,” notes one survey of the early American press. “Puritans, as compared to their opponents in England and their counterparts in other colonies, had created an intellectual environment that encouraged inquisitiveness and free expression.”<sup>3</sup> Education was valued and children were required to attend school, producing a literate population to consume books, pamphlets and, eventually, newspapers. Between 1640 and 1700, Massachusetts boasted “quite probably the highest concentration of literate males to be found anywhere in the world at the time.”<sup>4</sup> An estimated seven out of ten men were able to read and write by 1710 and the literacy rate

for women was also high, nearing forty per cent.<sup>5</sup>

Scholars regard seventeenth-century New England as the crucible in which modern concepts of journalism and news were forged. Sermons on a wide range of current events – natural disasters, crimes, executions, military campaigns – were routinely published as clergymen extracted the lessons each incident held for their followers. “Belief in the role of divine providence in the public life of New England clothed all occurrences – from major political events to odd changes in the weather – with meaning and importance.”<sup>6</sup> Storms, fires and military defeats were evidence of God’s wrath and punishment for the wickedness of Man; a victory over native raiders or a shipwrecked crew spared a watery grave offered proof of God’s grace and forgiveness. These and other providences were to be recorded to ensure these divine messages were heard and heeded. The Puritans encouraged the “reporting of bad news that tended to be swept under the rug in most other places,” one writer has noted, “because bad news was seen as a message from God .... the coming of well-deserved calamities was a sign that God still reigned.”<sup>7</sup> Puritan leaders such as Increase Mather and his son, Cotton Mather, were pioneering journalists of America’s pre-newspaper era, recording the notable events of their times with a remarkable degree of accuracy and objectivity.<sup>8</sup> Among the “Illustrious Providences” Increase Mather considered worthy of recording in print for posterity were “strange Apparitions ... Witchcrafts, Diabolical Possessions,” as well as events likely to make headlines in any modern newspaper: “Tempests, Floods, Earthquakes, Thunders as are unusual ... Remarkable Judgements upon noted Sinners, eminent Deliverances, and Answers of Prayer.”<sup>9</sup>

The Puritan authorities, however, did not allow the press to operate free from

control. Harvard College boasted the only presses in Massachusetts until 1675, when a printer was given permission to relocate to Boston. The colony's legislature, the General Court, established a licensing board in 1662 to prevent "irregularities & abuse to the authority of this country by the printing presse."<sup>10</sup> One study argues colonial officials were more interested in ensuring accuracy than in controlling the spread of information and opinions; another argues the restrictions mirrored those imposed on English printers under Charles II and were designed to placate London.<sup>11</sup> Increase Mather, who served on the licensing board in the 1670s, believed that even the publication of "Illustrious Providences" should be closely monitored: "When any thing of this Nature shall be ready for the Presse," he noted in 1684, "it should be read, and approved of at some Meeting of the Elders, before Publication."<sup>12</sup> And Puritan tolerance for discussion of religious matters did not extend to Anglicans, Catholics and Quakers, who were restricted from promoting their views in print.<sup>13</sup>

The authorities in other colonies were just as wary of the power of the press. "I thank God, there are no free schools nor printing," William Berkeley, the governor of Virginia, famously declared in a 1671 letter to Charles II, "for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them, and libels against the best government. God keep us from both."<sup>14</sup> Royal instructions issued after 1683 empowered the governors of six colonies – Massachusetts, Maryland, New Hampshire, New York, New Jersey, and Virginia – to regulate the press, to avoid the "great inconveniences [that] may arise by liberty of printing." Governors could issue orders that "no person keep any press for printing, nor that any book, pamphlet, or other matters whatsoever be printed without your especial leave and license first obtained."<sup>15</sup>

These powers reflected English practice of the time, but the collapse of the licensing system in 1694 did not have an immediate impact on American printers. “The colonial office quite evidently did not agree with the policy of uncensored printing following the lapse of the [licensing] statute,” William Chenery has noted. “For some years afterwards colonial governors were instructed to exercise a protective censorship over the people they governed in the name of the English crown.”<sup>16</sup> Royal instructions restricting printing remained in force in Maryland and Virginia until 1698 but in other colonies they remained on the books for decades. The instructions were not rescinded in Massachusetts and New Hampshire until 1730 and the governors of New York and New Jersey retained the right to regulate the press until 1732.<sup>17</sup>

Boston, in the meantime, emerged as the leading centre for education and publishing in North America. The first newspaper in the New World was founded there in 1690, the product of a period of upheaval in Massachusetts politics. The government of Charles II accused the Puritans of flouting colonial trade laws and revoked the colony’s charter in the mid-1680s. Governor Edmund Andros, appointed in 1686 to rule Massachusetts and its neighbouring colonies, promptly issued an order that “no Papers, Bookes, Pamphlets &c should be printed in New England until Licensed according to Law.”<sup>18</sup> As opposition to Andros’ unpopular administration grew, the governor issued a proclamation in 1689 warning that anyone found guilty of “printing, publishing or concealing” publications “tending to the disturbance of the peace and subversion of the government” would be punished “with uttermost severity.”<sup>19</sup> Andros was ousted that year, once news of the Glorious Revolution reached Boston, leaving a provisional government in charge while the Puritans negotiated the reinstatement of their charter.

Amid this turmoil, an expatriate London bookseller named Benjamin Harris launched a weekly newspaper to keep track of the momentous events unfolding on both sides of the Atlantic.

Harris, a publisher of pamphlets and a newspaper in London, had a checkered past. Imprisoned several times for seditious libel and for fanning anti-Catholic hatred at the time of the Popish Plot, he fled in 1686 to Massachusetts, where he opened a bookstore and coffeehouse. He also published tracts attacking the Catholic monarch, James II, and supporting Increase Mather and other Puritan leaders in their fight against Andros.<sup>20</sup> In September 1690 he published *Publick Occurrences Both Forreign and Domestick*, a three-page newspaper (the fourth page was blank) dedicated, as the title suggested, to reporting on local and European events. A few broadsides and newsheets had been published in Boston to that point,<sup>21</sup> but Harris was the first to contemplate a regular publication schedule; *Publick Occurrences* was to appear monthly “or if any *Glut of Occurrences happen, oftener.*” In a note to readers that led off the inaugural issue, Harris vowed the paper would ensure that “Memorable Occurrences of Divine Providence *may not be neglected or forgotten, as they too often are*” – a transparent attempt to curry favour with Puritan leaders long committed to the same goal. The paper would help readers with more immediate, down-to-earth needs to “*better understand the Circumstances of Public Affairs, both abroad and at home; which may not only direct their Thoughts at all times, but at some times also to assist their Businesses and Negotiations.*” *Publick Occurrences* would also be a vehicle to convey accurate, reliable information at a time of rumour and unrest. Harris’s most lofty goal was

*That something may be done towards the Curing, or at least the Charming of that*



*Spirit of Lying, which prevails amongst us, wherefore nothing shall be entered, but what we have reason to believe is true, repairing to the best fountains for our Information. And when there appears any material mistake in anything that is collected, it shall be corrected in the next.*

To this end, Harris vowed to expose the names of anyone caught circulating false news and invited “*diligent Observers*” to pass along accurate information, so his paper could provide a “Faithful Relation” of events in Boston.<sup>22</sup>

Despite the newspaper’s title – and in marked contrast to the prevailing practice in English newspapers – Harris gave domestic news precedence over foreign. Local events were reported with a level of detail that would not be replicated in America’s colonial press for decades. The lead item noted the “Christianized *Indians* in some parts of *Plimouth*, have newly appointed a day of Thanksgiving to God for his Mercy in supplying their extreme and pinching Necessities under their late want of Corn, & for His giving them now a prospect of a very *Comfortable Harvest*.” Hostile natives had abducted two children in Chelmsford, Harris reported, and a man in Watertown, distraught over the loss of his wife, had committed suicide. A smallpox epidemic sweeping Boston had abated after claiming some 320 lives, but had spread to outlying towns. Two recent fires had razed more than two dozen Boston buildings, killing at least one resident and destroying “the best furnished PRINTING-PRESS, of those few that we know of in *America*.” More remarkable was Harris’s detailed reportage of military offensives against neighbouring French colonies, part of an early campaign in King William’s War. *Publick Occurrences* revealed that Mohawks allied with the Massachusetts forces were unreliable – forcing a planned attack on Montreal to be

abandoned – and routinely butchered their captives. “And if Almighty God will have *Canada* to be subdu'd without the assistance of those miserable Savages, in whom we have too much confided,” Harris opined, “we shall be glad, that there will be no Sacrifice offered up to the Devil, upon this occasion; God alone will have all the Glory.”

For the Massachusetts authorities, Harris’s war reporting and criticism of their native allies hit too close to home. Some writers suggest one of the few items of foreign news, which accused the king of France of having sexual relations with his son’s wife, further prompted a swift crackdown, as did the fact Harris has not sought permission to publish.<sup>23</sup> Four days after the paper appeared the governor and council declared its “high Resentment and Disallowance” and accused Harris of publishing “Reflections of a very high nature” and “sundry doubtful and uncertain Reports.” The royal instructions of 1683 were invoked to recall and suppress *Publick Occurrences* and to issue an order “strictly forbidding any person or persons for the future to Set forth any thing in Print without Licence first obtained” from the government.<sup>24</sup> The paper ceased publication after a single issue. Harris returned to England in 1695, where he published several more newspapers and was twice arrested for offending the government. That Harris was merely ordered to cease publishing *Publick Occurrences*, and was spared the fines and imprisonment often meted out for such transgressions in England, has been cited as evidence of the Puritan commitment to free speech.<sup>25</sup> Printers, however, remained under tight government control. Bartholomew Green’s application to the governor for permission to set up shop in Boston in 1693 was approved on the condition he would print “what shall be duely Licensed, and Nothing else.”<sup>26</sup> That it would be more than a decade before anyone attempted to establish another newspaper in Boston was proof the

colonial authorities remained wary of the power of the press.

Harris was a consummate outsider; the founder of America's next newspaper – the first to be regularly published – was an insider. Boston's postmaster John Campbell, who circulated handwritten letters to a number of prominent subscribers containing mostly foreign news, launched a weekly newspaper, the *Boston News-Letter*, in April 1704, with a circulation of about 300 copies.<sup>27</sup> It was produced for the leading men of Boston and surrounding towns – the public officials, merchants, gentlemen and others Campbell had served in his handwritten newsletters. His paper, like his newsletters, devoted most of its space to news of European events. Campbell offered only snippets of local news – ship arrivals, sudden deaths, political appointments, court cases and attacks by natives and pirates – almost all of them relegated to the end of the paper.<sup>28</sup>

Campbell's avowed goal was the same Harris's: to provide “a true Account of all Foreign and domestick Occurrences, and to prevent a great many false reports.” And, like his predecessor, Campbell assured Puritan leaders he would record “a great many Providences ... that would otherwise be lost.”<sup>29</sup> The *News-Letter*'s style, format and emphasis on reporting foreign news were borrowed from the *London Gazette*; much of its content was drawn from the same source and from other London newspapers.<sup>30</sup>

There was another parallel to England's official newspaper – the *News-Letter* also bore the statement “Published by Authority” on its front page. While Campbell did not draw an official salary as postmaster, he was beholden to the administration of recently appointed Governor Joseph Dudley for his position and what profits he could earn from running the postal system.<sup>31</sup> His paper was “a quasi-official report in the form of a newspaper,” founded “without any conception ... of exercising any publishing

independence.”<sup>32</sup> His relationship with the government was “by and large an unstated one”: although Campbell operated the paper “at least some of the time as though it were an official organ of the executive branch,” the Massachusetts government “never acknowledged the *News-Letter* as its own publication in any official way.”<sup>33</sup> Campbell published government proclamations and official notices, but it is not clear whether these were paid advertisements or were considered a form a public service and inserted free of charge. The paper also supported government initiatives, helping to pave the way for the Dudley administration’s 1707 reforms to laws governing the use of indentured servants.<sup>34</sup> Equally telling was what *News-Letter* did not print, namely local news that reflected badly on the governor and his supporters. Campbell was kept on a short leash: it was common for the governor or his secretary to review and approve the paper’s contents before publication, at least for the first year of its existence. In his April 9, 1705 edition, Campbell listed “Waiting on his Excellency or Secretary for Approbation of what is Collected” as one of the “Charges and trouble” he faced in publishing the paper.<sup>35</sup> It comes as no surprise, then, that when the governor accosted two farmers who stubbornly refused to yield the right of way to his carriage in 1705, attacking them with a sword and bullwhip and accusing them of treason, not a single word of the embarrassing incident appeared in the *News-Letter*. Campbell’s approach to covering local affairs, as he put it in 1721, was “to give no offence, not meddling with things out of his Province.”<sup>36</sup> Local news was presented in terse, factual reports devoid of opinion or interpretation; rather than seeking out the news, Campbell appeared content to wait for it to come to him.<sup>37</sup>

As a result, his paper “failed to cover many of the major events that were shaping

Boston and that were of greatest interest to its citizens,” including a rift between Anglicans and Puritans, mob violence and controversies over trade, taxation and issuing paper currency.<sup>38</sup> Instead, Campbell struggled to provide his readers with a complete record of every item of British and Foreign news published in the London press. He presented this “thread of occurrences” in chronological order, even if it meant giving stale-dated items precedence over fresher and more important news that had just arrived by ship. “Campbell’s main concern,” noted David Paul Nord, “was to build an ongoing public record of events.”<sup>39</sup> Distilling the contents of the *London Gazette* and several other papers into a two-page weekly, however, proved an impossible task. By 1718 Campbell was running items of European news that were more than a year old. It was little wonder Cotton Mather dismissed it as “our paltry news-letter,” a “filthy and foolish” paper that provided “a thin sort of diet.”<sup>40</sup> He and other readers tolerated such delays, it has been suggested, because people continued to rely on word of mouth to circulate the news; by the time accounts of important events hit the pages of the *Boston News-Letter*, most people knew at least the gist of what had happened.<sup>41</sup> And in a one-newspaper town, there was no alternative source of printed news.

Campbell’s monopoly lasted fifteen years, until his replacement as postmaster, William Brooker, established a new paper in 1719. By this point the colonial government had become comfortable with having one of its appointees in control of disseminating news. “The civil authorities considered a postmaster a safe choice as publisher,” John Tebbel wrote in an overview of American media history, “since he owed his job to them and consequently was unlikely to print anything that might offend.” The postmaster, in turn, could distribute his paper for free while refusing to

carry competing ones. This privilege, too, “made postmaster-editors very cautious about criticizing the constituted authorities.”<sup>42</sup> Brooker appears to have assumed the *News-Letter* came with the postmaster’s job but Campbell refused to relinquish control, even though he had long complained it was a money-losing proposition.<sup>43</sup> Undaunted, Brooker founded the *Boston Gazette* in December 1719, appropriating the subtitle “Published by Authority” and concentrating on foreign news. The *Gazette* offered fresher news, catered to merchants by publishing commodity prices and took more interest in local events. Brooker, who ceded his post and the paper to Englishman Philip Musgrave within a year, was the first of five Boston postmasters to publish the *Gazette* between 1719 and 1741.<sup>44</sup>

Competition exposed – and at times, fuelled – controversy. The *Gazette*’s claim that Campbell had been fired as postmaster was denied in the pages of the *News-Letter*, and the publishers exchanged insults for several editions.<sup>45</sup> Both papers continued to publish official proclamations, but increasingly the *Gazette* took the side of the governor while the disaffected Campbell and his *News-Letter* tended to side with the assembly.<sup>46</sup> That did not stop the assembly from admonishing both publishers in 1722 over errors in the publication of election results, leading one historian to suggest the assembly viewed both papers as vehicles for their opponents.<sup>47</sup> Political factions were still forming and the battle lines were not clearly drawn. An example was a showdown between Governor Samuel Shute and the assembly over criticism of a government official in the legislature’s published proceedings. Shute ordered the colony’s official printer, Bartholomew Green (who also printed the *News-Letter*) not to publish the passage; Green complied but the assembly contracted another printer to do the work. When Shute

proposed a licensing system in 1721 to assert his power, under the royal instructions, to control the press, the assembly rejected it as creating “innumerable inconveniences and danger.” The dispute – one of many as the assembly challenged the governor’s authority – was reported in detail in the pages of both papers.<sup>48</sup>

A fresh controversy, this one over how to deal with a smallpox epidemic, was the catalyst for the founding of Boston’s third paper. The *New-England Courant* debuted in August 1721 with a self-declared goal “to oppose the doubtful and dangerous practice of inoculating the small pox.”<sup>49</sup> Its printer was James Franklin, a Boston native who learned the trade in London and had recently been replaced as printer of the *Gazette*. Franklin’s apprentice and soon-to-be-famous younger brother, Benjamin, recalled “his being dissuaded by some of his Friends from the Undertaking, as not likely to succeed, one [sic] Newspaper being in their Judgment enough for America.” James Franklin printed and distributed the paper, and left much of the writing, by his brother’s account, to “some ingenious Men among his Friends who amus’d themselves by writing little Pieces for this paper, which gain’d it Credit, and made it more in Demand.”<sup>50</sup> These “ingenious men” included leading Anglicans who exploited the epidemic to criticize the Puritan clergy, which supported inoculation. The paper toned down its attacks once it became clear inoculation saved lives<sup>51</sup> but continued to inject life into the staid world of Boston journalism – it dismissed Campbell’s *News-Letter* as “a dull vehicle of intelligence”<sup>52</sup> – until 1726. The *Courant* came to be regarded as “the first rebel organ in America,” published not by authority “but rather in spite of it.”<sup>53</sup> It introduced the *Spectator*-type essay to America; while the *News-Letter* and *Gazette* gave prominence to foreign news, the *Courant* usually led off with observations on politics, social mores or a

topical issue. One historian has likened the paper to “an impertinent and precocious brat that never survived its own adolescence,” combining a taste for controversy with British-style literary journalism and, less attractively, “fatuous argument, inside jokes, and plain gossip, some of it puerile and vulgar.”<sup>54</sup> Benjamin Franklin, while still a teenager, contributed a series of letters in 1722 under the pseudonym Silence Dogood, adopting the persona of a middle-aged widow and emulating the *Spectator*’s wry, detached tone.<sup>55</sup>

It was not long before the *Courant*’s taste for controversy goaded the authorities to take action. When the paper derided government’s slow response to the threat of pirates off the Massachusetts coast in 1722, the council objected to this “high affront” to its authority and jailed Franklin for a month.<sup>56</sup> The following year the Massachusetts assembly condemned the *Courant*’s efforts “to Mock Religion, and bring it into Contempt” and disturb “the Peace and good Order of his Majesty’s Subjects.”<sup>57</sup> Franklin was ordered to submit all material to the colonial secretary for approval before publication, an edict he circumvented by pretending to relinquish control of the paper to his brother.<sup>58</sup> The *Courant*’s February 11, 1723 edition explained that changing publishers would avoid the “Inconveniencies” of “carrying the Manuscripts and publick News to be supervised by the Secretary.” That the Franklins could so easily and blatantly circumvent the assembly’s order suggests how difficult it had become to control the press. Benjamin Franklin, living up to his reputation as “a young Genius that had a Turn for Libelling and Satire,” picked up where his brother had left off. “I made bold,” he recalled, “to give our Rulers some Rubs.”<sup>59</sup> The younger Franklin toned down the *Courant*’s criticism somewhat, but still felt safe in mocking former governor Joseph Dudley and attacking the Puritan “hypocritical pretenders to religion” who held



government posts.<sup>60</sup> He left Boston in the fall of 1723, fearing he had made himself “a little obnoxious to the governing Party” and “might if I stay’d soon bring myself into Scrapes.”<sup>61</sup> While the paper continued to appear over his name until its demise three years later, his older brother flouted the assembly’s order and resumed the publisher’s role. The threat of prosecution was not enough to deter James Franklin but it proved sufficient to keep the *Courant* in check; without Benjamin Franklin’s wit and exuberance, the paper ceased to be a thorn in the government’s side.<sup>62</sup>

The *Courant*’s lively, opinionated run had an impact on Boston’s emerging public sphere as well as on the city’s other papers. Control of the *News-Letter* passed from Campbell to his printer, Bartholomew Green, in 1723. Green, grandson of Harvard printer Samuel Green, set out to make the paper “profitable and entertaining to the good people of this country,” promising readers “the most material articles” of news.<sup>63</sup> Green, eulogized upon his death in 1733 as “as very humble and exemplary Christian,” catered to the religious needs of his readers and made it the paper’s goal to help them know “how to order their prayers and praises to the Great God.”<sup>64</sup> He also sought out local news and urged “all Ingenious Gentlemen, in every part of the Country, to communicate the Remarkable Things they observe ... and they shall be very gratefully Receiv’d and Publish’d.” To ensure accuracy, he asked correspondents to submit “nothing but what they assuredly know.”<sup>65</sup> Green continued Campbell’s practice of presenting an unbroken but dated “thread of occurrences” until 1727, when he “announced his intention to print only the latest intelligence.”<sup>66</sup> The *Gazette*, meanwhile, retained the title “Published by Authority” but shed its staid image as the government’s mouthpiece. In the mid-1730s, with postmaster John Boydell as publisher – and with Bartholomew Green Jr., son of the

*News-Letter*'s printer, running the press – the *Gazette* became a forum for lively writing and debate. News from the London papers took second place to “essays, letters, satirical or polemical pieces on public affairs or on contemporary manners and morals, general interest articles, or even the occasional verse ....”<sup>67</sup> Competition prompted the *Gazette*'s transformation; literary journalism, as pioneered by the *Courant*, had become a staple of two new Boston papers, the *New-England Weekly Journal* and the *Weekly Rehearsal*, founded in 1727 and 1731 respectively. The *Weekly Journal* was a forum for “information and entertainment rather than public controversy” and, while the *Weekly Rehearsal* promoted the Anglican faith and indulged in criticism of other clergy, it otherwise avoided politics.<sup>68</sup>

During the 1720s Philadelphia emerged as Boston's rival as a publishing centre. Andrew Bradford, Pennsylvania's postmaster and son of the colony's first printer, William Bradford, founded the *American Weekly Mercury* there in December 1719. Like the *Boston Gazette*, which debuted the same month, it emphasized news and promised readers “an Impartial account” of events in Europe and America.<sup>69</sup> Bradford dabbled in opinion, reprinting some of the early letters of Cato and publishing political essays criticizing the British practice of transporting criminals to the colonies. His paper also followed the smallpox inoculation controversy as it raged in Boston in 1721 and reported on the Massachusetts government's crackdown on James Franklin and the *New-England Courant*.<sup>70</sup> Bradford ventured opinions on local events, however, at his peril. In 1722 he was summoned to appear before the council after the *Mercury* expressed hope that the assembly could find a way “to revive the dying Credit of this Province, and restore us to our former happy Circumstances.” This was regarded as support for

opposition calls to issue paper money, but he was released after apologizing and claiming his journeyman has inserted the comment without his knowledge.<sup>71</sup> The council issued a reprimand and warned him not to publish further commentary on the governance of the colonies.<sup>72</sup> Chastened by the experience, Bradford did not run afoul of the government for another seven years. In 1729 he published an essay appealing to readers to “exert our Selves for Liberty and don’t Tamely sit by and allow any Part of it to be wrested from us by any Man, or Combination of Men whatsoever.” The statement, published on the eve of an election, was seen as an attack on the government and Bradford was charged with seditious libel. The council apparently accepted Bradford’s explanation that the comment was not intended as an attack on the administration, as the allegation was not taken to trial.<sup>73</sup>

A competitor emerged in the form of Benjamin Franklin of *New-England Courant* fame, who returned to Philadelphia in 1727 after a stint as a London printer. A veteran printer and newspaperman at twenty-one, Franklin dismissed the *Mercury* “as a paltry thing, wretchedly manag’d, no way entertaining” and was convinced “a good Paper could scarcely fail of good Encouragement.”<sup>74</sup> Another printer, Samuel Keimer, stole Franklin’s idea and established the *Universal Instructor in All Arts and Sciences; and Pennsylvania Gazette* at the end of 1728. Keimer did not possess Franklin’s vision for a lively and entertaining paper, however, and proceeded to feature an entry from a British encyclopedia each week, beginning with the letter “A.” He persisted for nine months before selling out to Franklin, who had mocked Keimer’s efforts in a series of anonymous letters published in the *Mercury*.<sup>75</sup> Franklin shortened the paper’s unwieldy title to the *Pennsylvania Gazette* and produced a newspaper that was “far neater, livelier,

and more informative than either its predecessor or its rival.”<sup>76</sup> He used the inaugural issue to assert that a newspaper publisher needed more than the ability to set type:

The author of a gazette (in the opinion of the learned) ought to be qualified with an extensive acquaintance with languages, a great easiness and command of writing and relating things cleanly and intelligently, and in few words; he should be able to speak of war both by land and sea; be well acquainted with geography, with the history of the time, with the several interests of princes and states, the secrets of courts, and the manners and customs of all nations.<sup>77</sup>

In short, a newspaper should be well-written, intelligent, informative and relevant – more like the *New-England Courant* than the staid products of timid postmasters and printers content to crib news from other papers.

And like the *Courant*, the *Gazette* was not above using controversy to attract attention and subscribers. In his memoirs Franklin recalled how “some spirited Remarks” about a dispute between the governor and assembly in Massachusetts, inserted in an early edition, “struck the principal People [of Philadelphia], occasion’d the Paper and the Manager of it to be much talk’d of, and in a few Weeks brought them all to be our Subscribers. Their Example was follow’d by many, and our Number went on growing continually ... the leading Men, seeing a Newspaper now in the hands of one who could also handle a Pen, thought it convenient to oblige and encourage me.”<sup>78</sup>

Franklin soon became part of the political establishment; the assembly named him Pennsylvania’s official printer in 1730 and its clerk in 1736, and he succeeded Bradford as postmaster in 1737. The former appointment meant steady work for Franklin’s print shop; the latter, he recalled, “facilitated the Correspondence that improv’d my

Newspaper, increas'd the Number demanded, as well as the Advertisements to be inserted, so that it came to afford me a very considerable Income.”<sup>79</sup> As a result, Franklin the businessman found it prudent to tread lightly when donning his journalist's hat to comment on local events. Of 1,900 items published in the paper between 1728 and 1765, one study has shown, only thirty-four touched on the politics of Philadelphia or Pennsylvania.<sup>80</sup>

Franklin understood the power and influence he wielded as a publisher, and exploited it. When promoting the establishment of a hospital for Philadelphia's poor, he noted in his memoirs, he “endeavoured to prepare the Minds of the People by writing on the Subject in the Newspapers,” which was his “usual Custom in such Cases.” He regarded the newspaper as a “Means of communicating Instruction” and, to that end, reprinted essays from the *Spectator* and “other moral Writers.” And he put away the sharp pen he had employed in his younger days; “in the Conduct of my Newspaper,” he boasted, “I carefully excluded all Libelling and Personal Abuse.”<sup>81</sup> Franklin also regarded the newspaper as a forum for a wide range of opinions. In an essay entitled “An Apology for Printers” published in the *Gazette* in 1731, Franklin complained of being “frequently censur'd and condemn'd by different Persons for printing Things which they say ought not to be printed.” Paraphrasing John Milton's century-old call for unfettered debate, he cautioned readers not to blame the messenger:

Printers are educated in the Belief that when Men differ in Opinion both Sides ought equally to have the Advantage of being heard by the Publick; and that when Truth and Error have fair Play, the former is always an overmatch for the latter: Hence they cheerfully serve all contending Writers that pay them well,

without regarding on which side they are of the Question in Dispute ... if all printers were determin'd not to print any thing till they were sure it would offend no body, there would be very little printed.<sup>82</sup>

Franklin depicted printers as uninterested, neutral parties who encouraged open debate and published whatever information came their way. Yet the limited space available in early two- and four-page newspapers forced colonial publishers to be selective. They emphasized foreign news at the expense of newsworthy local events. John Campbell tried to compile a complete “tread of occurrences” while Samuel Keimer made an ill-advised attempt to reprint an entire encyclopedia. One study dismissed Franklin’s depiction of the neutral printer as “a façade ... a calculated position used to shield [printers] from attacks of bias while publishing with obvious bias.”<sup>83</sup> Franklin himself would later acknowledge he controlled whose ideas and opinions would appear in print. He refused to print submissions dealing with private disputes, even though the authors “pleaded ... the Liberty of the Press, and that the Newspaper was like a Stage Coach in which any one who would pay had a Right to a Place.” To Franklin, the newspaper had a higher purpose – to serve the public. “[H]aving contracted with my subscribers to furnish them with what might be either useful or entertaining,” he reasoned, “I could not fill their papers with private Altercation in which they had no Concern without doing them manifest Injustice.”<sup>84</sup>

That Franklin felt it necessary to apologize for printers was evidence of a developing public sphere in America. By the mid-1730s there were seven newspapers in the Seaboard colonies and the largest centres – Boston, Philadelphia and New York – boasted competing papers. The number doubled by 1750, when there were four papers in

both Massachusetts and Pennsylvania, three in New York and one each in Maryland, Virginia and South Carolina.<sup>85</sup> The demand for news in the eighteenth century was as pervasive in America as in Britain. “This Taste, we Englishmen, have for News, is a very odd one; yet it must be fed,” a New York paper noted in 1750, describing news as something “we can’t be without.”<sup>86</sup> An inter-colonial postal system facilitated the distribution of newspapers as well as letters and gossip, creating a wider sense of community. As in Britain, this proliferation of published information became the fodder for discussions wherever people gathered. Boston’s coffeehouses and inns went to “considerable Pains and Expense in procuring the London and Boston Newspapers for the Entertainment of the Publick,” the *Boston Gazette* reported in 1726.<sup>87</sup> “Regular means of exchange and publication provide not only a stream of fresh information but also the opportunity to respond to events as they unfold, to engage in the back-and-forth of debate, and to sustain relationships and affiliations,” notes a recent study of the development of the American media. “Publications weave invisible threads of connection among their readers. Once a newspaper circulates ... no one ever truly reads it alone.”<sup>88</sup>

And there were readers: as noted, literacy levels in colonial America were high, particularly in Massachusetts. In the 1680s one Boston bookseller was importing about a thousand books a year from a single English dealer, to supply a population of about 75,000.<sup>89</sup> The works of Shakespeare, Milton, Aristotle and others made their way across the Atlantic along with the essays of Addison and Steele, which were so well known that American newspapers could refer to *The Spectator* without elaboration.<sup>90</sup> Enlightenment ideas were well known to the colonists. Franklin’s “Apology for Printers” drew on

*Areopagitica* and by the 1740s Philadelphia's public library possessed the complete works of Milton. The works of John Locke and collections of *Tatler* and *Spectator* essays were among the books Franklin sold as a sideline to his printing business.<sup>91</sup> Most influential of all were the Cato letters of Trenchard and Gordon, which were "adored, quoted, and plagiarized" in the colonial press.<sup>92</sup> The *New-England Courant* led the way, printing Cato's "Of Freedom of Speech" and "Reflections upon Libelling" essays in the early 1720s during James Franklin's run-in with the Massachusetts government. Even Andrew Bradford's cautious *Mercury* published seven Cato letters in 1730.<sup>93</sup> Cato's appearance so early in the development of the press in America, David Copeland has argued, accelerated the abandonment of press controls and the acceptance of greater press freedom: "In many ways, American press control mirrored what had happened in England, but the timeline for change in America moved much more swiftly than in England because the theories of government and press provided by Enlightenment thinkers."<sup>94</sup> The libertarian theory of a free press pioneered in England would become the mantra of a generation of aggressive publishers in the decades leading up to the Revolution.<sup>95</sup>

While the ideas were familiar, the social and political context was new. Colonial America was "a middle-class world" where citizens were more financially secure, more socially mobile and less deferential to authority than their British counterparts.<sup>96</sup> While royal governors retained the power to license the press in some colonies as late as the 1730s, local assemblies – as Massachusetts Governor Samuel Shute discovered – were unwilling to give those powers the force of law. Britain's Stamp Act did not apply to the colonies and, with the exception of a short-lived, halfpenny-per-sheet tax imposed in



Massachusetts and New York in the 1750s to pay for the Seven Years War,<sup>97</sup> colonial publishers were spared this burden until 1765. American newspapers also became commercial enterprises at an earlier stage of their development than had Britain's press. Advertising, job printing, bookselling and other sidelines reduced publishers' dependence on government patronage and, in turn, the need to curry official favour. None of the colonies emulated the Whig system of direct government ownership of papers or using subsidies to publishers and individual writers to suppress criticism. As in Britain, the development of political factions was often the catalyst for establishing newspapers, but the combatants were not Whigs and Tories. In America, the merchant class and other supporters of elected assemblies tended to square off against entrenched, propertied elites that owed their power and influence to the *status quo* of royal government.

This was the case in New York, where the colonial era's most important battle over press freedom was fought. A newspaper was not published in New York until 1725, a full two decades after the debut of Boston's *News-Letter* and six years after Philadelphia's first paper appeared. Its founder was William Bradford, who had introduced printing to Pennsylvania and was the father of Andrew Bradford. The elder Bradford had set up shop in New York in 1693 as the government's printer and his newspaper, the *New-York Gazette*, fit the first-newspaper mould with its emphasis on foreign news and avoidance of local controversy. Bradford's support for successive administrations was "usually implicit rather than explicit," one historian concluded, "characterized in the main by a simple refusal to recognize opposition voices and enter into local political disputes."<sup>98</sup>

Bradford's pro-government leanings were exposed in 1733, when a rival paper was founded to oppose a newly appointed governor, William Cosby, a bully who abused his powers and sought to enrich himself and his cronies. When Chief Justice Lewis Morris blocked Cosby's bid to create a new court – a gambit designed solely to help the governor win a lawsuit – he was replaced with a Cosby supporter. The governor's opponents fought back in the press and retained a struggling local printer, German-born Peter John Zenger, to establish the *New-York Weekly Journal* in November 1733.<sup>99</sup> The *Weekly Journal* has been hailed as “the first political party paper” in America, founded for no other reason than “to stir up public opinion in order to turn a narrow political struggle into a popular crusade.”<sup>100</sup> The paper's backers and contributors included Morris and lawyer James Alexander, who produced a steady stream of letters, essays and satirical sketches attacking the Cosby administration. Bradford's *Gazette* was dismissed as “a Paper known to be under the Direction of the Government, in which the Printer of it is not suffered to insert anything but what his Superiors approve of, under the penalty of losing £50 per annum Salary and the Title of the King's Printer for the province of New York.”<sup>101</sup> Cato's letters advocating free speech and denouncing “publick Traytors” and “wicked Governors” were republished, leaving no doubt the wicked traitor in question was Cosby.<sup>102</sup> The governor tried without success to convince the grand jury and then the assembly to prosecute Zenger. Finally, in late 1734, the pro-Cosby council had Zenger arrested on charges of publishing seditious libels. The four offending editions of the *Weekly Journal* – which, among other things, suggested governors were “here to day and gone to morrow” and accused the government of allowing a visiting French ship to spy on the city's fortifications – were ordered to be publicly burned.<sup>103</sup>

Seditious libel, like licensing, made the journey across the ocean from Britain. “In colonial America, as in England, the common law of seditious libel was strung out like a chicken wire of constraint making the open discussion of public issues hazardous,” historian Leonard Levy has noted.<sup>104</sup> Prosecutions appear to have been less frequent than in Britain: Levy, for instance, records the arrests of James Franklin and Andrew Bradford as the only libel actions taken against newspaper publishers in the 1720s.<sup>105</sup> This was likely due to the smaller number of printers and newspapers, rather than colonial administrators being more forbearing or American printers more docile. As in Britain, almost any criticism of the government and its officials could be considered a libel, juries only determined if an offending statement had been published, and it was no defence to print the truth. William Bradford is credited as the first American printer to advance truth as a defence. Jailed for seditious libel in 1692 for publishing anti-Quaker tracts, he argued the jury was entitled to decide “not only the facts but the law also ... not simply that the material had been published but that it was indeed illegal.”<sup>106</sup> Bradford relocated to New York after the government demanded he seek permission to produce any further publications, leaving the issue unresolved. Forty years later, Bradford used his *Gazette* to mock Zenger’s plight and defend the administration, at one point claiming his competitor’s goal had been nothing less than “setting the Province in Flames, raising of Sedition and Tumults.”<sup>107</sup>

Zenger’s defence, ironically, copied Bradford’s pioneering appeal to truth. The printer spent nine months in jail before he stood trial in August 1735 for publishing “divers Scandalous, Virulent, False and Seditious Reflections” on the government.<sup>108</sup> Cosby’s opponents imported renowned Philadelphia lawyer Andrew Hamilton to argue

that Zenger should be acquitted because the accusations of corruption and abuse of power were true. In a stirring speech, Hamilton urged the jury to acquit Zenger and establish the “Right – The Liberty – both of exposing and opposing arbitrary Power ... by speaking and writing Truth.”<sup>109</sup> The jury complied, ignored the letter of the law and found Zenger not guilty.

Historians have long debated the significance of Zenger’s acquittal in the development of freedom of the press in America. It has been hailed as a legal landmark, a turning point in press history, even as “a small-scale rehearsal” for the American Revolution. William L. Chenery, who espoused the latter view, argued the Zenger jury asserted nothing less than “the right of the colonists to resist the unlawful demands and exactions of the royal governors.”<sup>110</sup> Others have suggested that Hamilton’s defence was a tactical victory for one local political faction over another “rather than a brave statement for principles of journalism.”<sup>111</sup> A “runaway jury,” as one writer put it, “had disobeyed established English law and gotten away with it,”<sup>112</sup> as would be the case for Joseph Howe exactly one century later. There can be little doubt the verdict was a moral victory, not a legal one: juries were not empowered to decide whether published words were libelous until 1792 in Britain and not until 1804 in the United States.<sup>113</sup> Zenger’s vindication was widely publicized in America and Britain,<sup>114</sup> however, and his story became a potent symbol for printers throughout the colonies; “when authorities threatened their liberties, they promptly retold it.”<sup>115</sup> Colonial administrators recognized that juries could no longer be trusted to use the law of libel to defend them. From 1735 to the outbreak of the Revolution, “the risk of being tried for seditious libel by British colonial authorities effectively disappeared.”<sup>116</sup> The new threat to press freedom became

the colonial legislature and its often-invoked power to jail for contempt writers and printers who criticized its members or challenged its authority.<sup>117</sup>

Free-press ideology and press radicalism were firmly rooted in America by the middle of the eighteenth century. The words of Cato echoed in the columns of colonial papers, amplified after 1735 by Alexander Hamilton's stirring call to speak and write the truth. By the mid-1750s a Boston paper was describing press exposés of abuses of power as "essential to and coeval with all free Governments," while a Connecticut counterpart was touting the press as "an Enemy to Tyrants."<sup>118</sup> The absence of an alternative newspaper to disseminate news and opinion had been major factor in stifling dissent in Colonial America, but that changed as one-newspaper towns came to host two or even more titles. Competition for readers forced newspaper proprietors out of their comfort zones. "With multiple papers in towns, printers needed to find an edge to increase circulation and income," colonial press scholar David Copeland has observed. "Dealing in controversy was one answer."<sup>119</sup> Brooker's *Boston Gazette* was a better paper than Campbell's *News-Letter*, and the Franklins' *New-England Courant* was better and livelier still. Likewise, Benjamin Franklin's *Pennsylvania Gazette* and Zenger's *New-York Weekly Journal* were better than their predecessors and enhanced the public sphere of their communities.

After Zenger, newspapers became bolder in their criticism, particularly of the actions and policies of the home government. When the heavy-handed tactics of Royal Navy press gangs sparked riots in Boston the 1740s, the *Boston Evening Post* echoed the sentiments of many citizens when it noted the British warship responsible had sailed for Jamaica "to the great Joy of this Town, which has suffer'd a great many Thousands of

Pounds Damage, by that interruption give to its Trade and Business, since the arrival of that unlucky Ship in our harbour.”<sup>120</sup> David Hall, the editor of Benjamin Franklin’s *Pennsylvania Gazette*, attacked the British practice of transporting convicts to the colonies in 1751. In a sharply worded editorial, he complained of robberies, murders and “infinite other villainies perpetuated by convicts transported from Europe ... These are some of thy favours, Britain! Thou art called our Mother Country, but what good mother ever sent thieves and villains to accompany her children; to corrupt them with their infectious vices, and murder the rest?”<sup>121</sup>

Criticism of local governments and their policies increased post-Zenger. When hundreds of rioters destroyed market stalls in Boston in 1737, to protest high food prices, three of Boston’s five papers published letters from the ringleaders brazenly threatening more violence if the authorities sought to retaliate. Summoning the militia or arresting those involved would be certain to “make a Bloody ending, and to breed a Civil War,” warned one writer. A “great Number of Men in the Town have combined together,” added another. “[T]here must and will be Murder committed, if not upon the Governour himself, for they are very Resolute and disparate.”<sup>122</sup> In 1750 *Boston Evening Post* publisher Thomas Fleet published an essay denouncing the Massachusetts government’s increasing reliance on lotteries to finance public works. He pointedly reminded lawmakers they had passed legislation decades earlier to curb lotteries, which at the time were considered “publick Nuisances” that caused “the utter Ruin and Impoverishment of many Families.”<sup>123</sup>

Other local issues openly debated in newspapers prior to 1760 included issuing paper money, public education, colonial union, slavery, womens’ rights and religious

divisions.<sup>124</sup> During the Seven Years War papers brazenly accused military contractors of graft and supplying out-of-date weapons to the troops; one even joked that the odour from rations of bad beef was more effective than gunpowder in driving away the enemy. “That such charges, when well-founded, could be made without legal repercussion,” one writer has concluded, “showed how firmly independent journalism was established in America.”<sup>125</sup> The founding of the *Halifax Gazette* in 1752 would illustrate to what extent these press traditions and hard-won concessions were transplanted to Nova Scotia.

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### Endnotes

<sup>1</sup> The first press to cross the Atlantic was established in Mexico City in 1535 to print official decrees and religious works. Robert W. Jones, *Journalism in the United States* (New York: E.P. Dutton & Co., 1947), 13.

<sup>2</sup> Benjamin Peirce, *A History of Harvard University from Its Foundation, in the Year 1636, to the Period of the American Revolution* (Cambridge: Brown, Shattuck & Co., 1833), 6-7; Charles E. Clark, *The Public Prints: The Newspaper in Anglo-American Culture, 1665-1740* (New York: Oxford University Press, 1994), 69.

<sup>3</sup> William David Sloan and Julie Hedgepeth Williams, *The Early American Press, 1690-1783* (Westport, Conn.: Greenwood Press, 1994), 14.

<sup>4</sup> Neil Postman, *Building a Bridge to the 18<sup>th</sup> Century: How the Past Can Improve Our Future* (New York: Vintage Books, 2000), 83-4.

<sup>5</sup> Kenneth A. Lockridge, *Literacy in New England: An Enquiry into the Social Context of Literacy in the Early Modern West* (New York: W.W. Norton & Co., 1974), 13, 38-9.

<sup>6</sup> David Paul Nord, “Teleology and News: The Religious Roots of American Journalism,” in Nord, *Communities of Journalism: A History of American Newspapers and Their Readers* (Urbana: University of Illinois Press, 2001), 44.

<sup>7</sup> Marvin Olasky, *Central Ideas in the Development of American Journalism: A Narrative History* (Hillsdale, N.J.: Lawrence Erlbaum Associates, 1991), 29.

<sup>8</sup> Nord, “Teleology and News,” 44-7.

<sup>9</sup> Increase Mather, “An Essay For the Recording of Illustrious Providences” (1684), in George Lincoln Burr, ed., *Narratives of the Witchcraft Cases 1648-1706* (New York: C. Scribner’s Sons, 1914), 13.

<sup>10</sup> Cited in Nord, “Teleology and News,” 47.

<sup>11</sup> Sloan and Williams, 78; Olasky, 28.

<sup>12</sup> Mather, 13.

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<sup>13</sup> Sloan and Williams, 14; Olasky, 28.

<sup>14</sup> Cited in John Tebbel, *The Media in America* (New York: New American Library, 1976), 4.

<sup>15</sup> There were slight differences in the wording of the instructions issued to the governors of Maryland, Virginia and New Hampshire, who had the power to order that "no person use any press for printing, upon any occasion whatsoever, without your especial leave and license first obtained." See Leonard Woods Labaree, ed., *Royal Instructions to British Colonial Governors 1670-1776*, vol. 2 (New York: Octagon Books, 1967), 495-6.

<sup>16</sup> William L. Chenery, *Freedom of the Press* (Westport, Conn.: Greenwood Press, 1977), 108.

<sup>17</sup> Labaree, 496.

<sup>18</sup> Quoted in Sloan and Williams, 6.

<sup>19</sup> Quoted in *ibid*, 80.

<sup>20</sup> Harris's background and support for the Puritans are explored in Sloan and Williams, 2-4; G.A. Cranfield, *The Press and Society: From Caxton to Northcliffe* (London: Longman Group Ltd., 1978), 22-4.

<sup>21</sup> Clark, 70-1.

<sup>22</sup> *Publick Occurrences Both Forreign and Domestick*, September 25, 1690, reproduced in Jones, 23-28, and in Frederic Hudson, *Journalism in the United States From 1690 to 1872* (New York: Harper & Brothers, 1873), 44-8.

<sup>23</sup> See, for instance, Sloan and Williams, 6, citing the diary of one of the members of the council, Judge Samuel Sewall.

<sup>24</sup> Order of the Massachusetts governor and council, September 29, 1690, reproduced in Jones, 22.

<sup>25</sup> Sloan and Williams, 14.

<sup>26</sup> Order of Governor William Phips and his council, June 6, 1693, reproduced in Clyde Augustus Duniway, *The Development of Freedom of the Press in Massachusetts*. (New York: Longmans, Green and Co., 1906), 70.

<sup>27</sup> Alfred McClung Lee, *The Daily Newspaper in America: The Evolution of a Social Instrument* (New York, Octagon Books, 1973), 16.

<sup>28</sup> The *News-Letter's* contents as described in Frank Luther Mott, *American Journalism: A History of Newspapers in the United States Through 250 Years, 1690 to 1940* (New York: The Macmillan Co., 1947), 11-2. See also Sloan and Williams, 19. For examples of items drawn from the paper's news columns, see Jones, 37-42.

<sup>29</sup> *Boston News-Letter*, April 9, April 30, 1705, cited in Clark, 82.

<sup>30</sup> Clark, 78.

<sup>31</sup> Campbell received a modest subsidy from the legislature to operate the postal system, but only from 1703 to 1706. *Ibid*, 81, 95.



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- <sup>32</sup> Sloan and Williams, 17-8.
- <sup>33</sup> Clark, 92, 94-5.
- <sup>34</sup> Ibid, 93-4.
- <sup>35</sup> Campbell's complaint is quoted in Mott, 14; Jones, 37; and Clark, 88-9.
- <sup>36</sup> *News-Letter*, August 14, 1721, quoted in Sloan and Williams, 20.
- <sup>37</sup> Nord, "Teleology and News," 51-2.
- <sup>38</sup> Sloan and Williams, 20. In addition to the run-in with the farmers, Campbell ignored allegations of Dudley's involvement with prominent Boston merchants who illegally sold supplies to the French. Ibid, 20-1.
- <sup>39</sup> Nord, "Teleology and News," 50.
- <sup>40</sup> Quoted in Sloan and Williams, 21.
- <sup>41</sup> See Clark, 95-102.
- <sup>42</sup> Louis B. Wright, *The Cultural Life of the American Colonies, 1607-1763* (New York: Harper & Brothers, 1957), 242-3.
- <sup>43</sup> See, for instance, his pleas to customers to pay their bills and appeals for public and government support cited in Sloan and Williams, 21, and Clark, 95, 102.
- <sup>44</sup> Jones, 44-6.
- <sup>45</sup> The feud is examined in detail in Clark, 107-10.
- <sup>46</sup> Sloan and Williams, 22.
- <sup>47</sup> See Clark, 121-2.
- <sup>48</sup> Sloan and Williams, 22-3.
- <sup>49</sup> *New-England Courant*, August 21, 1721, cited in Sloan and Williams, 26.
- <sup>50</sup> J.A. Leo Lemay and P. M. Zall, eds. *Benjamin Franklin's Autobiography: An Authoritative Text, Backgrounds, Criticism* (New York: W.W. Norton, 1986), 15.
- <sup>51</sup> See statistics on survival rates cited in Sloan and Williams, 28.
- <sup>52</sup> *New-England Courant*, August 7, 1721, quoted in Hudson, 61.
- <sup>53</sup> Hudson, 66; Mott, 16.
- <sup>54</sup> Clark, 132.
- <sup>55</sup> H.W. Brands, *The First American: The Life and Times of Benjamin Franklin* (New York: Anchor Books, 2002) 24, 26.
- <sup>56</sup> Jones, 57-8. The council's various orders arresting, imprisoning and censuring Franklin in 1722 and

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1723 are reproduced in Duniway, 163-6.

<sup>57</sup> As quoted in Hudson, 69-70.

<sup>58</sup> For an account of this episode, see Jeffrey A. Smith, *Printers and Press Freedom: The Ideology of Early American Journalism* (New York: Oxford University Press, 1988), 100-4.

<sup>59</sup> Lemay and Zall, 16.

<sup>60</sup> Brands, 30.

<sup>61</sup> Lemay and Zall, 16-7.

<sup>62</sup> After Benjamin Franklin's departure, "original material became increasingly rare, the local news increasingly routine. The imagination and spirit so evident during the *Courant's* first two years simply withered away." Clark, 138.

<sup>63</sup> As stated by Green in a note to readers published in the *News-Letter*, January 23, 1723. Reproduced in Jones, 42.

<sup>64</sup> Editorial in the *News-Letter*, January 21, 1723 and Green's obituary, published in the paper's January 4, 1733 edition, quoted in Olasky, 41.

<sup>65</sup> *News-Letter*, March 7, 1723, quoted in Alfred McClung Lee, *The Daily Newspaper in America: The Evolution of a Social Instrument* (New York, Octagon Books, 1973), 36-7.

<sup>66</sup> Lee, 38.

<sup>67</sup> Clark, 167-8

<sup>68</sup> Sloan and Williams, 31-2. For a thorough examination of these papers and their contents, see Clark, 141-64.

<sup>69</sup> *American Weekly Mercury*, December 22, 1719, as quoted in Sloan and Williams, 54.

<sup>70</sup> Clark, 172.

<sup>71</sup> Sloan and Williams, 57. The offending statement appeared in the *Mercury's* January 2, 1722 edition.

<sup>72</sup> Jones, 50; Hudson, 60.

<sup>73</sup> Sloan and Williams, 57-8. The comment appeared in the *Mercury* on September 18, 1729.

<sup>74</sup> Lemay and Zall, 49.

<sup>75</sup> Clark, 174-5.

<sup>76</sup> *Ibid*, 176.

<sup>77</sup> *Pennsylvania Gazette*, October 2, 1729, quoted in Brands, 103.

<sup>78</sup> Lemay and Zall, 50-1.

<sup>79</sup> *Ibid*, 85.

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<sup>80</sup> Michael Schudson and Susan E. Tiff, "American Journalism in Historical Perspective," in Geneva Overholser and Kathleen Hall Jamieson, eds., *Institutions of American Democracy: The Press* (New York: Oxford University Press, 2005), 19.

<sup>81</sup> Lemay and Zall, 80, 103.

<sup>82</sup> *Pennsylvania Gazette*, June 10, 1731, reproduced in Leonard W. Levy, ed., *Freedom of the Press from Zenger to Jefferson: Early American Libertarian Theories* (Indianapolis: Bobbs-Merrill Co., 1966), 5-6. See also Brands, 115-6.

<sup>83</sup> Sloan and Williams, 64-5.

<sup>84</sup> Lemay and Zall, 80.

<sup>85</sup> Lee, 711.

<sup>86</sup> *New-York Gazette*, January 22, 1750, quoted in David A. Copeland, *The Idea of a Free Press: The Enlightenment and Its Unruly Legacy* (Evanston, Ill.: Northwestern University Press, 2006), 2.

<sup>87</sup> *Boston Gazette*, June 13, 1726, quoted in Lee, 16.

<sup>88</sup> Paul Starr, *The Creation of the Media: Political Origins of Modern Communications* (New York: Basic Books, 2004), 24.

<sup>89</sup> Postman, 83-4.

<sup>90</sup> Elizabeth Christine Cook, *Literary Influences in Colonial Newspapers, 1704-1750* (New York: Columbia University Press, 1912), 19-21.

<sup>91</sup> Cook, 104, 108, 114.

<sup>92</sup> Levy, xxvi.

<sup>93</sup> Cook, 89.

<sup>94</sup> Copeland, *The Idea of a Free Press*, 101-2.

<sup>95</sup> See Smith, *Printers and Press Freedom*, 7-9, 17-20, 35-6, 100-23.

<sup>96</sup> Richard Hofstadter, *America at 1750: A Social Portrait* (New York: Vintage Books, 1973), 131-4, 141-2.

<sup>97</sup> Lee, 35. Massachusetts abandoned its duty in 1757 and New York followed suit in 1759. Sloan and Williams, 116, 118.

<sup>98</sup> Clark, 180.

<sup>99</sup> Events leading up to the founding of the *Weekly Journal* are recounted in Sloan and Williams, 82-5 and Tebbel, 24-6.

<sup>100</sup> David Paul Nord, "The Authority of Truth: Religion and the John Peter Zenger Case," in Nord, *Communities of Journalism*, 65.

<sup>101</sup> *New-York Weekly Journal*, December 17, 1733, quoted in Cook, 126.

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- <sup>102</sup> Sloan and Williams, 86-7. Zenger published Cato's letter No. 14, "Of Freedom of Speech," on February 18, 1734 and No. 32, "Reflections upon Libelling," in installments over the following two weeks. Letter No. 100, "Discourse upon Libels," appeared on December 9, 1734, shortly after Zenger's arrest. See Levy, 10-24.
- <sup>103</sup> Sloan and Williams, 87.
- <sup>104</sup> Levy, xxx.
- <sup>105</sup> Ibid, xxviii-xxix.
- <sup>106</sup> Sloan and Williams, 52-3, 81.
- <sup>107</sup> Ibid, 88.
- <sup>108</sup> From Cosby's proclamation of November 1734, reproduced in Hudson, 82.
- <sup>109</sup> Levy, 59. An abridged version of the trial proceedings, as published by Zenger in 1736, is reproduced at 44-61.
- <sup>110</sup> William L. Chenery, *Freedom of the Press* (Westport, Conn.: Greenwood Press, 1977), 110, 119.
- <sup>111</sup> Sloan and Williams, 90.
- <sup>112</sup> Olasky, 43.
- <sup>113</sup> Tebbel, 31; Levy, xxviii-xxxiii; Smith, *The Newspaper*, 86.
- <sup>114</sup> Zenger's acquittal was reported in *The Craftsman* and two books containing accounts of trial were being sold in London by 1738. Cook, 139.
- <sup>115</sup> Lee, 35.
- <sup>116</sup> Starr, 59.
- <sup>117</sup> Levy, xxxv-xlvii; Smith, *Printers and Press Freedom*, 8-9.
- <sup>118</sup> *Boston Gazette*, May 26, 1755 and *Connecticut Gazette*, April 12, 1755, cited in Smith, *Printers and Press Freedom*, 7, 19.
- <sup>119</sup> David A. Copeland, *Debating the Issues in Colonial Newspapers: Primary Documents on Events of the Period* (Westport, Conn.: Greenwood Press, 2000), xii.
- <sup>120</sup> *Evening Post*, July 6, 1741, quoted in Jack Tager, *Boston Riots: Three Centuries of Social Violence* (Boston: Northeastern University Press, 2001), 59.
- <sup>121</sup> *Pennsylvania Gazette*, April 11, 1751, quoted in Brands, 214.
- <sup>122</sup> Tager, 34-6. The letters appeared in the *Weekly News-Letter*, April 14-21, *Evening Post*, April 18, *Gazette*, April 11-18, 1737.
- <sup>123</sup> *Evening Post*, January 1, 1750, quoted in Copeland, *Debating the Issues*, 128.
- <sup>124</sup> See Copeland, *Debating the Issues*, chaps. 6-9, 12-14.

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<sup>125</sup> Olasky, 45.

### Chapter 3

#### **“The first that ever was publish’d in the Province”: Founding the *Halifax Gazette***

The Greens were America’s printing and newspaper pioneers, “New England’s foremost printing family.”<sup>1</sup> Samuel Green arrived in the Massachusetts Bay Colony from England in 1649 to take over the print shop established barely a decade earlier at Harvard College. While Benjamin Harris’s short-lived *Publick Occurrences Both Forreign and Domestick* is recognized as the first newspaper published in America, Green’s son and namesake pioneered the form. In 1689, a year before *Publick Occurrences* made its debut and at the height of the revolt against Governor Edmund Andros, Samuel Green Jr. published *The Present State of New-English Affairs*, a broadside with an avowed goal “to prevent False Reports.” It coupled European news with Increase Mather’s accounts of his battle to restore the Massachusetts charter and was, in the words of press historian Charles Clark, a “breakthrough ... an immense leap in the sophistication with which a provincial printing press was applied to the dissemination of news.”<sup>2</sup> Ironically, Green died of smallpox in 1690 in an epidemic reported the pages of Harris’ single-issue newspaper. The family, however, remained in the thick of America’s early press history. Samuel Jr.’s son, Bartholomew Green, printed the *Boston News-Letter* – the second newspaper published in America – when it appeared in 1704. The elder Bartholomew Green bought the paper from its founder, Boston postmaster John Campbell, in 1723. He was, in the words of one press historian, “a cautious editor” known for “colouring his local news with pious comment.”<sup>3</sup> It was his son and namesake who, in 1751, brought the

printing press to what would become Canada.

Bartholomew Green Jr., born in 1699, apprenticed with his father and became the printer of the *Boston Gazette*, in 1727. Perhaps due to this uncomfortable rivalry, upon his father's death in 1732 control of the *News-Letter* passed to a brother-in-law, John Draper. Green left the *Gazette* that year and struck out on his own. After a fire destroyed his print shop in 1734, he joined forces two other Boston printers, John Bushell and Bezoune Allen. Their firm produced books that a contemporary in the printing trade considered "well executed," employing "handsome types, and printed on good paper."<sup>4</sup> The partnership dissolved in 1745, when Green signed up for the expedition that captured the French bastion of Louisbourg that year. He later attributed his decision to enlist as an artillery officer at age forty-six to "a disposition to Serve His Majesty and [my] Native Country." He returned to Boston after the siege but could not find work as a printer. His stint in the military, Green complained, put him "out of good Business," and he appeared ready to give up the printing trade. By 1748 he was petitioning the Massachusetts authorities to give him a minor government post as doorkeeper of the General Court.<sup>5</sup>

Green was clearly down on his luck in September 1751 when he stepped ashore at Halifax from the sloop *Endeavour*. Another ship carrying forty-five barrels of rum and his press arrived from Boston on October 14.<sup>6</sup> From a business perspective, Green's plans to open a print shop and publish a newspaper in Halifax seemed as reckless as his decision to join the army – a "rash venture," in the opinion of one writer.<sup>7</sup> "It is hard to see what possibilities [Green] ... could discover in it as a field for a newspaper or for any other printing enterprise," noted another.<sup>8</sup> Halifax, founded barely two years before, was home to about 4,250 people, a fraction of Massachusetts's population of more than 200,000.<sup>9</sup>

That figure included hundreds of “Foreign Protestants,” most of whom spoke only German or French and were subsisting on government rations as they awaited resettlement in other parts of the province.<sup>10</sup> Mainland Nova Scotia had been under British rule since 1710 but the bulk of its population was French-speaking Acadians, descendants of pioneers who first settled the region in the 1630s and were estimated to number as many as 15,000 by the 1750s. The indigenous Mi’kmaq – allies of the French and enemies of the British – launched intermittent raids on the new settlement. France held the surrounding colonies of Île Royale (present-day Cape Breton), Île Saint-Jean (Prince Edward Island) and a swath of disputed and largely unsettled territory that is now New Brunswick. Hemmed in by the French, Halifax was a tiny British island in a sea of Acadians and aboriginals.<sup>11</sup>

And it was a frontier city, much of it crammed inside a palisade erected to guard against Mi’kmaq raids or an attack launched from the surrounding French territories. The muddy streets were “of a very convenient Breadth,” noted a newcomer, but “not yet levell’d or paved.”<sup>12</sup> While one resident considered Halifax “a large and pompous town” in 1752,<sup>13</sup> the settlement was struggling; the land was rocky and the thin soil unsuitable for farming, despite settlers’ efforts to cultivate land cleared of forest. Halifax’s prosperity hinged on its greatest asset, an ice-free harbour extending miles inland to a wide, sheltered basin – a perfect base for naval vessels, merchant ships and fishing fleets. To the Mi’kmaq it was Chebucto, “the great harbour”; in the opinion of surveyor Charles Morris, it was “one of the finest Harbours in the Universe ... Capacious enough to hold all the Navy of England.”<sup>14</sup>

Halifax was no Boston, but Boston already had a number of printers vying for



work and four newspapers, with an average circulation of 600 copies each, competing for subscribers and advertisers.<sup>15</sup> The move to Nova Scotia offered Green a chance to return to “good business” or, in the words of one historian, “to begin his life anew in a field less encumbered with competitors.”<sup>16</sup> Government money flowed freely as the authorities in London rushed to build and fortify a port city to rival Louisbourg, which had been returned to the French in 1748 under the terms of a peace treaty. Modest as Halifax was, it was a colonial capital and key to Britain’s new-found resolve to resist any future French attempt to retake Nova Scotia. Green would be the colony’s only printer, and businessmen and government officials alike needed his services. Halifax was finding its feet as a trading centre and the city’s merchants, many of them transplanted New Englanders like Green, could be solicited to advertise their wares in a newspaper. The government, for its part, needed a newspaper to convey official announcements and a printer to disseminate its laws and proclamations.

Colonel Edward Cornwallis, Nova Scotia’s governor and the officer in charge of founding Halifax in 1749, may have intended all along to establish a print shop to serve the outpost. Herbert Jefferie, identified as a printer, was among the initial wave of settlers, arriving in June 1749 on the ship *Winchelsea* with his wife and two children.<sup>17</sup> On board another transport, the *Beaufort*, were stationers Joseph Halsey, Robert Garner and John Marvin – a stationer was a tradesman who sold paper and writing material<sup>18</sup> – and two bookbinders, Thomas Blackwell and Richard Freeborn.<sup>19</sup> While there is no evidence Jefferie brought along a press and type, he and at least some of the others may have been recruited to pursue their trades in the new settlement. It would have been relatively easy to import equipment and paper from Britain or New England, set up a print shop and

produce a newspaper. If this were the plan, however, it may have fallen victim to the settlement's shaky start. Hundreds of settlers succumbed to epidemics during the city's first two years of existence. Marvin died a month after his arrival and Garner was buried in Halifax in August 1751. Many settlers moved on to Boston, and one writer has speculated that the others abandoned the colony.<sup>20</sup> The names of Jefferie, the two bookbinders and the third stationer, Halsey, do not appear on a list of settlers compiled in July 1752.<sup>21</sup>

Cornwallis may have recruited Green to set up shop in Halifax. It was common in the last half of the eighteenth-century for colonial governors in British North America to seek out a printer's services. In 1788 the governor of the neighbouring colony of Prince Edward Island invited a printer to set up shop in Charlottetown to publish laws and the journals of the legislative assembly.<sup>22</sup> When John Graves Simcoe assumed the governorship of Upper Canada in 1791, he observed that "a printer is indispensibly necessary" and "of the utmost importance" to governing a colony.<sup>23</sup> There is no evidence, however, that the Nova Scotia government extended an official invitation to Green. The colony's governing council dealt with several business-related matters in early 1752, granting John Conner a monopoly on a ferry service to Dartmouth, buying John Horsman's stone house to use as a prison, and subsidizing the malt beer produced at William Steele's brewery. Minutes of the council deliberations for the period make no mention of the need for a printing press or the imminent arrival of a printer.<sup>24</sup>

Paperwork, as Simcoe observed, was essential to governing a colony. The Lords of Trade and Plantations, Britain's colonial administrators, spent £445 in 1749 alone on "printing and incidental expenses" related to the founding of Halifax, a sum that likely

included advertisements to recruit settlers that appeared in the London press.<sup>25</sup>

Parliamentary appropriations to support the colony also referred to stationery for the offices “which has been purchased here [in Britain] since August 1752.”<sup>26</sup> Imported printed material was in use in Halifax prior to Green’s arrival. Cornwallis arrived in 1749 with printed forms for land grants, which set out the improvements settlers were required to make and other conditions. These were still in use as late as 1754.<sup>27</sup> A pre-printed form was available to launch civil actions in Halifax’s Inferior Court of Common Pleas as early as 1750.<sup>28</sup>

An array of other documents that could not be imported – proclamations, notices, laws and other official publications – were needed to carry out the business of governing. In the last five months of 1749 alone, Cornwallis and his council issued at least eight proclamations or notices dealing with such matters as licensing the sale of liquor, convening a court to hear a murder trial, and threatening to fine or imprison any householder who failed to report a death within twenty-four hours.<sup>29</sup> Producing paper copies of such laws and regulations by hand was a slow and tedious process. In the absence of a printer – and to ensure illiterate settlers could not claim ignorance – proclamations, laws and other official news were conveyed to residents verbally. Within weeks of Halifax’s founding, with people living in tents or still confined to transports anchored in the harbour, proclamations forbidding desertions and selling liquor without a licence were “ordered to be published in the Camp.”<sup>30</sup> A government official known as the provost marshal would visit public places, beat a drum to attract the attention of listeners, and make the announcement in town-crier fashion. When the council drafted regulations creating a county court in December 1749, for instance, Provost Marshal

William Cotterell read them aloud “after the beat of a drum through the settlement and on the first day of the court’s sitting.”<sup>31</sup>

Bartholomew Green died suddenly on October 29, 1751 at age fifty-two, barely two weeks after his press arrived in Halifax. It appears he only had time to find a location for his shop – in the heart of the city on Grafton Street, just north of a central square known as the Grand Parade – and to issue a call for subscribers to the newspaper he planned to publish.<sup>32</sup> Green had two sons who were printers but it was his former partner, John Bushell, who headed north from Boston in early 1752 to pick up the pieces. Bushell had recently dissolved his book-printing partnership with Bezoune Allen,<sup>33</sup> and one writer has speculated he planned all along to come to Halifax as Green’s assistant.<sup>34</sup> It is possible that Bushell, too, was recruited by the government to establish a press in Halifax, but there is no evidence to confirm this.

Bushell, born in Boston in 1715, apprenticed there and began his printing career with the *Boston Weekly Post-Boy*, a paper established by Boston’s postmaster in 1734. He left the following year to form the partnership with Green and Allen. After Green left to fight at Louisbourg, Bushell and Allen continued to work together until 1751. Bushell then set up his own print shop and owned a significant amount of property, having inherited houses and land from his father in 1741. He married Elizabeth Strowbridge of Boston, and the couple had a son and a daughter.<sup>35</sup> He appears to have been a skilled and competent printer: one of his earliest publications in Nova Scotia has been described as “an excellent example of the typographer’s art” and “set by an excellent craftsman.”<sup>36</sup> One thing Bushell lacked was newspaper experience beyond his stint as printer of the *Post-Boy*, which has been dismissed as “a commonplace kind of paper” that “contributed

little to the development of the newspaper genre in America.”<sup>37</sup> Bushell does not even rate a passing reference in most studies of printing and newspaper publishing in pre-revolutionary America.

The financial details of Bushell’s takeover of Green’s press and print shop are unknown. He may have sold his Boston properties and assets to buy out Green’s sons, who presumably inherited their father’s estate. It is known that two private backers put up the money needed to launch the *Halifax Gazette*. Under a contract signed March 20, 1752, Bushell agreed to share his profits with Boston merchant Thomas Gunter and Otis Little,<sup>38</sup> a forty-year-old New England lawyer who held two government posts at Halifax. Gunter and Little were entitled to an unspecified portion of “the profits, Earnings and Incomes of the Press and printing business ... [in which] John Bushel is Employed in the Town of Halifax.”<sup>39</sup> The only surviving document outlining the agreement does not record how much they invested. The Boston partner may have been the “Mr. Gunter” who won government supply contracts – and Cornwallis’ praise – in 1750. The young settlement was dependent on Boston merchants for supplies but some were “wanton in their insolent demands,” Cornwallis complained, setting exorbitant prices and threatening to damage the settlement’s credit unless they were granted a trading monopoly. Gunter, in contrast, was “a person who has shown his regard for the settlement by laying out a great deal of money in it.”<sup>40</sup> His name and opinions carried weight in early Halifax. When the crew of a New England vessel suspected of smuggling was charged in 1754 with murdering two Royal Navy sailors in a skirmish, Gunter led a delegation of Boston merchants that lobbied Cornwallis’ successor, Col. Charles Lawrence, for clemency.<sup>41</sup>

Little, in contrast, was ambitious, opportunistic and out to enrich himself. He

earned a master of laws degree from Harvard at age twenty-two and practiced law in Pembroke, Massachusetts. He apparently visited Nova Scotia as a young man and was appointed a justice of the peace for the colony's capital, Annapolis Royal, in 1736. He was elected to the Massachusetts General Court in 1740 and devoted his five-year term to securing patronage posts, including an appointment as an admiralty judge. "He was clearly a man out to make his living from public life and connections," noted his biographer, at one point submitting an inflated expense claim that was rejected.<sup>42</sup> When Britain and France went to war in 1744, Little was commissioned a major and raised a company of soldiers to reinforce the garrison at Annapolis Royal, which was under siege. His military service was brief. Little was captured by the French as he arrived in Nova Scotia and spent about a year as a prisoner of war on parole in Boston. In July 1745, as Green and his compatriots celebrated their capture of Louisbourg, Little was freed in a prisoner exchange. He moved to London to promote himself and the potential of Nova Scotia, publishing a tract in 1748 that extolled the benefits of investment and settlement in the colony. When the British government took heed, Little joined the settlers who established Halifax the following year. He arrived with an entourage of sixteen servants<sup>43</sup> and the title of surveyor-general of Nova Scotia. He was made commissary of stores and provisions for the settlement in July 1749 and named King's attorney – the forerunner of the office of attorney general – a year later.

Little's reasons for helping Bushell establish his printing business are unclear. He used the *Gazette* to promote his legal practice, inserting at least one notice advertising his services as a lawyer.<sup>44</sup> Little's financial backing is not, in itself, proof of direct government support for the print shop or the *Gazette*. Indeed, Little soon became a

liability for both Bushell and the administration. “His style of living apparently exceeded his income,” noted his biographer, “and he began to take chances.” He was suspended as commissary in 1751 over financial irregularities and was suspected of selling supplies directly to settlers and pocketing the proceeds. In August 1752, as the *Gazette* entered its fifth month of publication, a committee of the council began investigating the allegations. John Salusbury, a committee member and the land registrar and collector of His Majesty’s rents for the colony, concluded there was “nothing more apparent but that [Little] has greatly robbed the Public.”<sup>45</sup> Little did his best to stall the probe, which was still under way in mid-September.<sup>46</sup> There is no record of its outcome or that he was punished beyond being removed as commissary.

On March 23, 1752, three days after the three-way partnership was formed, Bushell produced issue No. 1 of the *Halifax Gazette*. It was a single sheet, nine and a half by fifteen inches in size and printed on both sides. The nameplate was flanked by woodcuts, one depicting a square-rigged ship under sail, the other a hunter surveying a fort from the forest’s edge – no doubt a rendering of the palisade that protected Halifax. The woodcuts and the arrangement of the type into two broad columns mirrored the appearance of the *Boston Gazette* and other colonial papers of the time,<sup>47</sup> even though one writer dismissed it as a “leaflet” of “pitiable appearance.”<sup>48</sup> While Isaiah Thomas, a New England printer who apprenticed at the *Gazette* in the 1760s, considered Bushell “a good workman,” a newspaper historian of the 1840s dismissed the *Gazette* and other early Nova Scotia papers as “of a very inferior description, both in point of merit and workmanship ... badly printed, and worse edited; and in their typography and arrangement little taste is displayed.”<sup>49</sup> This judgment, however, was overly harsh.

Bushell employed a highly readable style of type named for its designer, William Caslon, “the most successful and celebrated of English type founders.”<sup>50</sup> Caslon fonts were considered “friendly to the eye” and were popular among printers on both sides of the Atlantic; a print shop “could be equipped with the varieties of Caslon faces alone,” it was claimed, “and still be capable of turning out high-grade work”<sup>51</sup> Illustrations were rare in newspapers of the time, and Bushell used an eclectic mix of regular and italic type to give readers some relief from the onslaught of words. He appears, as well, to have been a careful and accurate typesetter; a close reading of the 114 surviving issues published by Bushell reveals few typographical errors.<sup>52</sup>

Bushell inserted a cryptic notice at the top of page one of the inaugural edition, acknowledging that subscribers to the proposals for publishing the paper (a prospectus Green apparently circulated, which has not survived) were owed an explanation of “why it hath been *so long delayed*.” Subscribers were advised that an unnamed gentleman in charge of the subscription list – perhaps Bushell’s partner, Little – would provide “a satisfactory Account” of the cause of the delay, an apparent reference to Bartholomew Green Jr.’s sudden death. Bushell assured “Gentlemen, Merchants, and others” who wanted to place advertisements or had material to be printed that his press was “now commodiously fixed” and they would be served “in a reasonable and expeditious Manner.” Within a month of the *Gazette*’s launch, Bushell switched the publication day to Saturday to avoid unspecified “Inconveniencies” caused by publishing on Mondays.<sup>53</sup>

The information Bushell used to fill the *Gazette*’s columns, and how he selected and presented it, were typical of the newspapers of the time. Foreign news took precedence over local, following what one recent study termed “the common model” for a



colonial-era North American newspaper: “an assortment of local advertising, occasional small paragraphs of local hearsay, and large chunks of European political and economic intelligence lifted directly from London newspapers.”<sup>54</sup> The lead item of the March 23, 1752 issue, under the headline “FOREIGN ADVICES,” was a six-month-old report that an escaped lunatic had thrown a stone at Pope Benedict XIV, narrowly missing the pontiff’s head. This was followed by two full columns of similarly stale news “FROM THE BRITISH PRINTS,” much of it trivial. There was a long account of the sudden death of the confectioner to the Prince of Wales, a Mr. Dubuy. A brief report described the discovery of twenty-seven skulls and other human remains – “supposed to have been there some Ages” – by workers excavating a terrace at an English estate. Of greater interest to Haligonians was a notice that Parliament had passed an act “correcting the Kalender now in Use,” switching Britain and its colonies to the modern Gregorian calendar from the Julian one, which had fallen twelve days behind. There was also a note that “several Dispatches ... concerning Nova Scotia” had been presented to the Board of Trade and Plantations on January 1, but no details were offered. News from the American colonies – some of it only weeks old – was offered under the captions “PLANTATION NEWS” and “BOSTON,” but dealt mainly with Spain’s harassment of British merchant ships in the Caribbean.

Readers had to flip over the paper to find local news, which was tucked into a half-column on page two and consisted for the most part of obituaries. Under the caption “HALIFAX,” Bushell reported that John Gorham, a member of the Nova Scotia council, had succumbed to smallpox in London the previous December.<sup>55</sup> A dispatch from Chignecto, on the colony’s northern frontier, related that a British officer, Capt. Collier,

had died there. The same correspondent passed news of the death at Quebec of the Marquis de la Jonquière, the former governor of New France, who had a tenuous link to Halifax – he was with Duc d’Anville when the French commander’s storm-battered fleet sought refuge at Chebucto in 1746.<sup>56</sup> The next item announced the death of King George II’s youngest daughter, the Queen of Denmark. While her death was no doubt “universally lamented,” as Bushell reported, her obituary was a strange addition to a roundup of local news, especially since her passing was already noted on page one. Charles Morris’ recent appointment as first judge of the Inferior Court of Common Pleas was announced. Much of the remaining local news was clearly aimed at readers in distant port cities where printers would read and reproduce *Gazette* items. Ships’ captains were asked to ensure they did not bring “infected Persons or Goods” into the province from Boston and New York, where smallpox had broken out. Severe winter weather had created a shortage of fresh provisions and raised the price of beef in the city, Bushell noted, but this was not news to Haligonians shivering through the worst frosts “that hath ever been known to the oldest Inhabitants in the Province.” Likewise, residents knew that Halifax Harbour “hath not been froze up, or incumbred so much with Ice, as to interrupt it’s [sic] Navigation.” Food prices and the harbour’s accessibility, however, were matters of great importance to foreign shipowners and merchants.

This cursory treatment of local news set the tone for the *Gazette* under Bushell’s management. For the first two months the Halifax section was slim and dominated by news of the smallpox outbreak in Boston and an inoculation program being used to combat it. A flurry of advertisements filled page two and pushed the Halifax section to the front page of all four issues published in April 1752, but it was more common to find

local news relegated to page two, just above the advertisements. At least six issues published in 1752 – May 23, July 18, August 22, September 16, and two published in December – contained no Halifax news at all.<sup>57</sup> The February 24, 1753 issue and the three that followed lacked a single item of Halifax news, a month-long drought that ended with reports on two men who drowned while canoeing on the North West Arm and the near-loss of a schooner that foundered on a voyage from Halifax to North Carolina.<sup>58</sup> Halifax news was missing from seven other issues published in 1753.<sup>59</sup> No local news appeared in almost one-third of the twenty-five issues published between February 9 and August 24, 1754.<sup>60</sup> In its place, Bushell devoted his columns to such items as an essay entitled “Advice to the Fair Sex,” poems written to commemorate a destructive South Carolina hurricane, a duel fought on the Caribbean island of St. Christopher, and a long-winded account of a gathering of Freemasons in Edinburgh.<sup>61</sup> Bushell’s definition of Halifax news was surprisingly broad. Among the items published under the Halifax heading were reports of a major fire in Boston, the destruction of a lighthouse in Newport, Rhode Island, and extracts from a pamphlet expounding on the duties of a woman, published as “*A Present to our Female Readers.*”<sup>62</sup> The dearth of local, original material may explain why newspapers in other cities items appear to have rarely republished items from the *Gazette*. A review of the files of four Boston newspapers published in the 1750s, for instance, found that, “apart from a few brief outbursts of interest, [they] contained virtually no mention of Nova Scotia-Acadia.”<sup>63</sup>

All colonial papers of the era downplayed local events, in part because local news could be spread faster by word of mouth than in a weekly paper with a limited readership.<sup>64</sup> It was, perhaps, also a reflection of how small, marginal communities tend

to look elsewhere for the interesting, the novel and the important. News was made in London or Paris, or in Boston or New York, not in a backwater like Halifax. Bushell, like other newspaper proprietors of his time, selected and arranged material to appeal to “gentlemen readers [who] shared a cultural orientation toward the metropolis – in the case of colonial British North America, this meant London – and so printers put together their newspapers to emphasize the information and ideas that circulated from the metropolis.”<sup>65</sup> Land registrar John Salusbury, who detested Halifax and sorely missed the wife and family he left behind in England, may have summed up the opinion of many when he dismissed the settlement in 1752 as “the very Empire of Dullness.”<sup>66</sup>

The cursory treatment of local news also reflected Bushell’s limited abilities as a news-gatherer. Printers of his era “were small-businesspeople, not journalists” and, like his contemporaries, Bushell’s priority was running his print shop.<sup>67</sup> Early printers tended to wait for the news to come to them. They “merely collected, passively, whatever information happened to drift through the door,” media historian Mitchell Stephens has noted. “Perhaps they were simply too busy with the chores and responsibilities of their print-shops to chase fires or observe battles.”<sup>68</sup> The term “journalist” was coined in the 1690s to refer to someone who contributed to a newspaper, but the role of the modern journalist – as opposed to a printer, publisher, or editor – was slow to develop. In the eighteenth century only the largest London papers retained employees – known as journalists, reporters, news-writers or news-gatherers – to cover events and report the news.<sup>69</sup> Bushell was familiar with the term news-writer – it appeared in an item he republished from a British newspaper in mid 1753<sup>70</sup> – but he was trained to set type and operate a press, not to collect and write the news, and he had spent only a year in the

newspaper business prior to coming to Halifax. The local news he published was often based on rumours and second-hand accounts – tidbits picked up on the street or brought to the door of his print shop. Bushell does not appear to have attended events in person or to have made inquiries to verify information. When a hard gale struck Halifax in July 1753, for instance, Bushell reported it blew down several trees on Citadel Hill – which was likely visible from his Grafton Street office – but relied on word of mouth to tell him if there had been other destruction caused by the storm. “[W]e do not yet hear of it’s [sic] doing any further Damage,” he noted.<sup>71</sup> Likewise he “hear[d] there are Letters in Town from England” disclosing that a soldier who deserted his post at Chignecto had inherited an estate of £60 a year from a relative in Yorkshire, apparently making no effort to see the letters for himself.<sup>72</sup>

The models for the *Halifax Gazette* were the newspapers Bushell knew from his hometown – the *Boston News-Letter* and Bartholomew Green Jr.’s old paper, the *Boston Gazette*. Both publications have been dismissed as purveying “a mere chronicle of foreign and some domestic news, dry and uninteresting.” The *Boston Gazette*, in the assessment of one press historian, “recounted the news with little comment.”<sup>73</sup> Early printers “could not specialize in reporting or editorializing; instead, they culled their material from texts that came to hand – letters and newspapers that came through the mail.”<sup>74</sup> Even for the more-established British press of the time, “[b]orrowing material from other papers was commonplace” and the “major source of press reports was items in other newspapers.”<sup>75</sup> To the colonial-era printer/publisher, newspapers from overseas and neighbouring colonies were what wire services would become to the newspaper editors of modern times – a source of cheap and reliable news, pre-packaged and ready to be set in type.

Surviving issues of the *Gazette* show Bushell, like other colonial printers, relied heavily on previously published material. On several occasions Bushell complained to his readers that newly arrived ships had brought “no material News” for him to publish.<sup>76</sup> At one point in February 1753 he was reduced to publishing a long account of a shipwreck off coast of England that had occurred in 1695.<sup>77</sup> The summer that followed was particularly slow. Bushell inserted a note in his July 21, 1753 edition referring to “this dead Time of News” and begged his readers’ forgiveness for publishing a second account of the loss of a ship bound for Halifax, an incident that had received extensive coverage in a previous edition.<sup>78</sup> In February 1754, “*For want of fresh Occurrences,*” he devoted almost an entire issue – three-and-a half of four columns – to an “*extraordinary Account*” of the case of an English apothecary convicted and hanged for the murder of his wife sixteen years earlier. Even this was not enough room, and the entire front page of the following week’s issue was needed to complete a story that classified as history rather than news.<sup>79</sup>

The front page of the *Halifax Gazette* invariably gave top billing to the international news gleaned from the latest papers, such as those Captain Holt supplied for the April 18, 1752 edition after a twelve-day passage from Boston. Stale reports of battles in faraway places rubbed shoulders with acts of piracy in the Caribbean and descriptions of curious new inventions.<sup>80</sup> Bushell thought a plan to erect a Protestant church half a world away in the city of Hamburg and the first public display of a live crocodile in England deserved better play than local events.<sup>81</sup> Many weeks Bushell would devote much of the front page to an essay lifted from a foreign paper or magazine that was intended to educate, entertain or insult. On April 13, 1752, Bushell ran an essay on wickedness and virtue copied from lexicographer Samuel Johnson’s *The Rambler*, a

short-lived London magazine that purveyed “elevated journalism adorned by wit, handsome phrases, and wide learning.”<sup>82</sup> Two weeks later he featured a class-conscious tale that belittled the notion a gentleman of leisure was better than a humble craftsman.<sup>83</sup> A London reprint entitled “*On the present reigning fashionable Vice of keeping Mistresses*” was featured on March 24, 1753. The lead item published on August 29, 1752, “Of Women,” professed to explore their “little Weaknesses, their pretty Follies and Impertinences.” A few weeks later, readers were treated to a long, rambling poem entitled “The Parson’s Wife.”<sup>84</sup> A sermon denouncing the evils of rum – “a Man in the *possession* of RUM is *possessed* with the Devil” was among its many dire warnings – dominated the March 1, 1755 edition, even though Bushell regularly ran advertisements from local merchants offering rum for sale. Sometimes Bushell would fulfil a reader’s request to republish an item, as was the case with a screed on the pitfalls of wealth that appeared on September 23, 1752.

Bushell afforded top priority to news of the impending war with France. Details of events occurring deep within the North American frontier were disseminated at a speed that was remarkable for the time. An example is the speech of Col. John Bradstreet, commander of a remote British post at Oswego on the shores of Lake Ontario, to an assembly of tribal leaders on July 13, 1755. A report describing how his eloquence “effectually open’d their Eyes” and the natives’ promise to “no longer be Tools to the French” was conveyed down the Hudson River Valley to New York. The news reached Halifax within six weeks, in time to be reported in the *Gazette* on August 23. It took six more weeks for details of Bradstreet’s speech to cross the Atlantic, and it was being reproduced in the English press by early October.<sup>85</sup> News of Major General Edward

Braddock's defeat, an event of far greater importance, travelled even faster. Braddock's troops were routed on July 9, a ship brought the news to Halifax on August 7, and people in London were discussing the defeat's implications before the end of August.<sup>86</sup>

While local news could be scarce or underplayed, Bushell offered readers some sense of the ebb and flow of events in Halifax. Each issue faithfully listed the merchant ships that had entered and cleared the harbour during the previous week. Storms and shipwrecks were also deemed worthy of note, as one would expect of a newspaper serving a seaport. Bushell recorded that a hurricane lashed Halifax in October 1752, damaging several homes and injuring five occupants of a building crushed under an uprooted tree. The same storm drove a ship aground on the Eastern Shore; the crew scrambled to shore and subsisted for five days on salvaged butter, seaweed and cranberries until a passing schooner rescued them.<sup>87</sup> Much ink was devoted to festivities in November 1752 to celebrate King George II's seventieth birthday, including a twenty-one-gun salute and "all the other Expressions of Joy and Loyalty that could be expected from such an Infant Settlement."<sup>88</sup>

Untimely deaths – especially deaths by drowning – were always news. When two crewmen from HMS Torrington drowned in 1752 after their longboat capsized, Bushell offered a brief description of the incident.<sup>89</sup> An early edition of the *Gazette* recorded the discovery of the body of a soldier who had drowned in the harbour; the following week the paper noted that Alexander Andrews, a young apprentice, was found dead in a store after "drinking very freely the Night before" at a boisterous party, and "'tis suppos'd he was suffocated."<sup>90</sup> A half-column of the four-column paper was devoted to the story of six men whose small boat capsized in the harbour, leaving one of them dead.<sup>91</sup> Readers



learned of the labourer working on fortifications on Georges Island who was crushed by a boulder; of the woman found at the bottom of a well; of the fisherman who fell overboard while trying to deliver a cask of beer to the crew of a passing schooner; and of the fist-fight between soldiers in their barracks that left one dead of an “unlucky Blow.”<sup>92</sup> When a child of fifteen months fell through a hole in the floor of a house and drowned in the water below, Bushell remarked on the family’s remarkable misfortune; “this is the eighth Child the Parents have had, none of which liv’d to be 18 months old, and chiefly dying from some Accident.”<sup>93</sup> Suicides were also news, as was the case of the soldier who, “being something disorder’d in his Senses,” hanged himself.<sup>94</sup>

Bushell displayed an eye for gruesome detail that was typical of the newspapermen of the time. When a German settler slipped and fell while carrying a log, the *Gazette* recorded how the log landed on his back, “by which Means the Blood issued in great Quantities from his Mouth, Nose, &c. and he died in a few Minutes.”<sup>95</sup> When a body was found in the harbour in early 1754, readers were told all that was left were “Cloaths and the Skeleton, the Flesh being entirely consum’d.”<sup>96</sup> There was more substance to the body of a soldier pulled from the water about the same time, giving Bushell more graphic detail to work with. “[T]he Flesh of his Hands and Face were almost entirely eaten off,” he reported, “also his Tongue eat[en] out of his Mouth.”<sup>97</sup> The victim of a fire that destroyed a Buckingham Street home received similar treatment, with the paper noting his body was “burnt in a most terrible Manner, his Head was burnt almost to a Coal, one Hand and both Feet burnt off, his Bowels gushing out, and his whole Body exceedingly scorched (a melancholy Spectacle.)”<sup>98</sup>

A careful reader could find news with local impact under headings other than

“Halifax.” The front page of the March 30 edition, for instance, carried brief reports from Paris and London updating negotiations to set the boundaries of British and French possessions in America – a matter of vital interest to residents of a border colony like Nova Scotia.<sup>99</sup> A few weeks later, news of the arrival of ten French soldiers at Annapolis Royal appeared in the “Boston” section.<sup>100</sup> In another issue, Bushell gave top billing to an editorial from an Irish paper that portrayed Nova Scotia as vital to British interests in America and called on the British government to reject France’s claim to what is now the province of New Brunswick.<sup>101</sup> Snippets drawn from British and European sources provided updates on the treaty negotiations throughout 1753.<sup>102</sup> And an item culled from a British newspaper in May 1753 reported that Parliament was expected to grant £47,000 to support the colony for the coming year.<sup>103</sup>

Crime was a staple of the *Gazette*, as it was of the early English and American papers. While coverage of crimes, trials and the methods of criminals “provided warnings to those fearful of attack,” notes British press historian Jeremy Black, “interest in a good story seems to have played as large if not more of a role in the preference for inserting details of criminal activities.”<sup>104</sup> Then, as now, accounts of crimes and executions sold newspapers. “The journalists who were feeding the early printing presses learned what all journalists have learned; that crime news is prime news,” in the words of Mitchell Stephens.<sup>105</sup> Bushell published his share of morality tales gleaned from the local courts. After two convicted criminals were publicly hanged in June, he reported that “they seem’d to die in a penitent Frame [of mind], confessing their Crimes, begging the Prayers of the Spectators, and warning them against those sins which had been the leading Cause of bringing them to that shameful and untimely End.”<sup>106</sup> He reported that a soldier with a

long history of desertion had been executed by firing squad at Halifax, and this man too “died seemingly penitent.” In November 1752 Bushell published several items recording the trial and execution of three men convicted of burglary. On the gallows one of the condemned men, a soldier named Thomas Jobbit, exhorted onlookers to observe the Sabbath and “to spend more of their Time at the Church, and less at the Gin-Shops,” advice Bushell dutifully passed along.<sup>107</sup> *Gazette* readers learned of the harsh punishments meted out for less-serious crimes – thirty-nine lashes for two men convicted of theft, six months in prison for a man caught passing counterfeit doubloons, and an hour in the pillory for the artillery sergeant found guilty of sodomy.<sup>108</sup> Bushell poked fun at another offender, despite the deadly outcome of his actions. Two men stole a small boat to retrieve “some live Stock, that is, two Women servants” from a ship in the harbour. The boat overturned and a man and a woman drowned. The surviving man was charged with theft and, “*although he has escap’d drowning,*” the *Gazette* chided, “*he stands a Chance to be hang’d.*”<sup>109</sup> Bushell, like his contemporaries, was willing to turn to foreign papers for crime news if the local well was dry,<sup>110</sup> when Elizabeth Jeffrys of Essex confessed to recruiting two men to murder her incestuous uncle, the lurid details of her trial and execution were front-page news an ocean away, in the *Gazette*.<sup>111</sup>

There was room in the *Gazette*’s columns for news of the strange and the bizarre. The first edition published of 1753 led off with an item from the *Newcastle-Journal* on the “curious Case” of a man who regained the ability to speak when subjected to electrical shocks.<sup>112</sup> Just as curious was the case of the Staffordshire farmer’s daughter who slept for almost a year, defying the efforts of doctors and apothecaries to awaken her. “However extraordinary this may appear,” readers were assured, “we have credible

Information that it is true.”<sup>113</sup> Bushell recorded the death of an Irish woman at the astounding age of 122 – noting she had shot and cooked a wild fowl just four days before she died – and the Dublin woman who delivered twins at forty-eight.<sup>114</sup> Closer to home, a rumour that a crewman on a Halifax-based fishing schooner had seen a ghost offered Bushell an excuse to print “*Of SPECTRES and APPARITIONS,*” a long-winded essay culled from a foreign paper, for the benefit of “*the more credulous Part of Mankind.*”<sup>115</sup> In May 1753 he reported that “a Sea Monster, a Female of the Kind” had been caught at the mouth of the harbour. Bushell described the animal in great detail – its body the size of a large ox, with a thick neck, a small alligator-like head, and claws like those of a sea turtle. After being displayed for several days “with satisfaction to the Spectators,” the strange beast was rendered to make oil.<sup>116</sup>

The *Gazette* was a typical British colonial newspaper. Foreign news took precedence over events in Halifax as John Bushell – and presumably his readers – looked to London, Europe and the American Colonies for news they could not glean from the local rumour mill. Then, as now, crime, sudden death and human-interest stories were news. Unlike the first newspapers founded in Boston, Philadelphia and New York, however, the *Gazette* was not a sideline established by a postmaster or other officeholder. From the start the paper was a commercial enterprise founded with private capital and, as far as can be ascertained from the archival record, without direct state funding or encouragement. As a close examination of the financial problems that bedeviled Bushell makes clear, the Nova Scotia government did little to ensure his newspaper and his printing business survived, let alone operated on a sound footing.

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## Endnotes

<sup>1</sup> Charles E. Clark, *The Public Prints: The Newspaper in Anglo-American Culture, 1665-1740* (New York: Oxford University Press, 1994), 84.

<sup>2</sup> *Ibid.*, 70-1.

<sup>3</sup> Frank Luther Mott, *American Journalism: A History of Newspapers in the United States Through 250 Years, 1690 to 1940* (New York: The Macmillan Co., 1947), 14.

<sup>4</sup> Isaiah Thomas, *The History of Printing in America* (New York: Weathervane Books, 1970), 119.

<sup>5</sup> Chard, "Bartholomew Green," *DCB*. Additional material on Green and his family has been drawn from James Melvin Lee, *History of American Journalism*, 2<sup>nd</sup> ed. (New York: Garden City Publishing Co., 1923), 17-27; Willard Grosvenor Bleyer, *Main Currents in the History of American Journalism* (Boston: Houghton Mifflin Co., 1927), 51; Frederic Hudson, *Journalism in the United States From 1690 to 1872* (New York: Harper & Brothers, 1873), 52-4, 63-4; Mott, 14.

<sup>6</sup> "Halifax Gazette: Canada's First Newspaper," article available on NSARM website at <http://www.gov.ns.ca/nsarm/virtual/gazette>

<sup>7</sup> H. Pearson Gundy, *The Spread of Printing: Canada* (Amsterdam: Vangendt & Co., 1972), 14.

<sup>8</sup> Douglas C. McMurtie, *The First Printing in Nova Scotia* (Chicago: Eyncourt Press, 1930), 7.

<sup>9</sup> List of residents of Halifax in July 1752, reproduced in T.B. Akins, ed., *Selections from the Public Documents of the Province of Nova Scotia* (Halifax: Charles Annand, 1869), 670, and in Akins, "History of Halifax City," *Nova Scotia Historical Society Collections*, vol. 8 (1892-94), 261. The population of Massachusetts Bay was 220,000 in 1755, according to an item in the *London Magazine* reprinted in the *Halifax Gazette*, August 23, 1755.

<sup>10</sup> Most of these Foreign Protestants acquired no more than "a smattering of English" during their sojourn in Halifax. Winthrop Pickard Bell, *The "Foreign Protestants" and the Settlement of Nova Scotia: The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Toronto: University of Toronto Press, 1961), 583-4.

<sup>11</sup> John Salusbury summed up the situation as he saw it in March 1753: "... the Germans deserting starving and useless, the French imprudent and encroaching, and we pay heartily the poor Indians for this little quiet, yet at the beck of the French, they will molest us Again, and it is not likely that they will be long quiet, I mean the [Acadian] Inhabitants." Entry for February 16, 1753 in Ronald Rompkey, ed., *Expeditions of Honour: The Journal of John Salusbury in Halifax, Nova Scotia, 1749-53* (Newark: University of Delaware Press, 1982), 133.

<sup>12</sup> Jonathan Belcher, "A Description of Nova Scotia, January 1755," quoted in James Muir and Jim Phillips, "Michaelmas Term 1754: The Supreme Court's First Session," in Philip Girard, Phillips and Barry Cahill, eds., *The Supreme Court of Nova Scotia 1754-2004: From Imperial Bastion to Provincial Oracle* (Toronto: University of Toronto Press, 2004), 259.

<sup>13</sup> *Gazette*, May 30, 1752.

<sup>14</sup> Charles Morris, "Description and State of the New Settlements in Nova Scotia in 1761," *Report Concerning Canadian Archives for the Year 1905*, vol. 2 (Ottawa: Public Archives of Canada, 1906), App. F, 290.

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- <sup>15</sup> As of 1754, according to Thomas, 14.
- <sup>16</sup> Ægidius Fauteux, *The Introduction of Printing into Canada*, chap. 2, "Pioneer Printers in the Maritime Provinces" (Montreal: Rolland Paper Co., 1957), 5.
- <sup>17</sup> Douglas G. Lochhead, "Herbert Jefferie: First Canadian Printer?" *Papers of the Bibliographical Society of Canada*, vol. 4 (1965), 19-20. Available on the Internet at <http://www.collectionscanada.ca/halifaxgazette/h28-2002-e.html>
- <sup>18</sup> See definition 1(d) of stationer in the *Oxford English Dictionary*, online edition, available at <http://dictionary.oed.com>
- <sup>19</sup> "List of the settlers who came out with Governor Cornwallis to Chebucto, in June 1749," in Akins, *Selections*, 533-4.
- <sup>20</sup> Lochhead, 20.
- <sup>21</sup> "A list of the Families of English, Swiss, &c., which have been settled in Nova Scotia since the year 1749, and who now are settlers," prepared in July 1752. Akins, *Selections*, 650-70. Republished in Akins, "History of Halifax," App. F, 246-61.
- <sup>22</sup> Fauteux, 17.
- <sup>23</sup> Simcoe's comment has been widely cited. See, for instance, Eric Haworth, "Canada's Printing Pioneers," *Provincial's Papers*, vol. 31, no. 2 (1966), 25.
- <sup>24</sup> Nor is there any mention of the *Halifax Gazette's* debut on March 23, 1752. Minutes of the Nova Scotia Council, NSARM, RG 1 vol. 186 (1749-53), especially 142-6, 156, 157.
- <sup>25</sup> Akins, "History of Halifax," 242. An advertisement published in the *London Gazette* in March 1749, offering land grants and subsidies to settlers, is reproduced at 239-40.
- <sup>26</sup> Akins, *Selections*, 690.
- <sup>27</sup> Governor Charles Lawrence to Captain Joseph Merlin, September 13, 1754, NSARM, RG 1, vol. 134, 226-7.
- <sup>28</sup> See pleadings filed in Records of the Inferior Court of Common Pleas for the County of Halifax (1749-52), Nova Scotia Archives and Records Management, RG 37 vol. 1.
- <sup>29</sup> Akins, *Selections*, 579, 580, 582, 592, 594-6, 598.
- <sup>30</sup> Council minutes, July 17, 1749, in *ibid.*, 570.
- <sup>31</sup> Sandra E. Oxner, "The Evolution of the Lower Court of Nova Scotia," in Peter Waite, Oxner and Thomas Barnes, eds., *Law in a Colonial Society: The Nova Scotia Experience* (Toronto, Carswell, 1984), 61.
- <sup>32</sup> Green did not purchase this or any other property in Halifax before his death. See NSARM, RG 47, Index to Deeds, Halifax, microfilm reel 17811.
- <sup>33</sup> The partnership dissolved sometime prior to 1751. Thomas, 119.
- <sup>34</sup> Eric Haworth, *Imprint of a Nation* (Toronto: Baxter Publishing Co., 1969), 29-30.
- <sup>35</sup> These details of Bushell's career before he arrived in Nova Scotia are drawn from Thomas, 124-5;

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Donald F. Chard, "John Bushell," *Dictionary of Canadian Biography*, available on the Internet at <http://www.biographi.ca>; Hudson, *Journalism in the United States*, 96-7.

<sup>36</sup> Haworth, *Imprint*, 35.

<sup>37</sup> Mott, 22; Clark, 306 n. 60.

<sup>38</sup> J. M. Bumsted, "Otis Little," *DCB*. Little's partnership with Bushell also has been noted in J.E.B. McCready, "In the Maritime Provinces," in John R. Bone, Joseph T. Clark, A.H.U. Colquhoun and John F. MacKay, eds., *A History of Canadian Journalism* (Toronto: Murray Printing Co., 1908), 134; Marjory Whitelaw, *First Impressions: Early Printing in Nova Scotia* (Halifax: Nova Scotia Museum, 1987), 8; and Chard, "John Bushell," *DCB*.

<sup>39</sup> *Thomas Gunter v. John Bushel*, action commenced in the Inferior Court of Common Pleas for the County of Halifax, March 6, 1759. NSARM, MG 100 vol. 176 #13.

<sup>40</sup> Cornwallis to Board of Trade and Plantations, November 27, 1750, reprinted in Akins, *Selections*, 630-1. While it is clear Cornwallis was describing the conduct of Boston merchants, Rompkey has suggested the comment referred to the Halifax merchant Freeman Gunter. John Salusbury's diary entry for March 1, 1751 notes that two fishing schooners arrived in port "for Freeman Gunter's." Rompkey, *Expeditions of Honour*, 105, 196.

<sup>41</sup> Lawrence to Thomas Gunter, November 6, 1754, NSARM, RG 1 vol. 134, 267-8.

<sup>42</sup> Biographical details on Little are drawn from J. M. Bumsted, "Otis Little," *DCB*, and John Doull, "The First Five Attorney-Generals of Nova Scotia," *Nova Scotia Historical Society Collections*, vol. 26 (1945), 34-6.

<sup>43</sup> List of settlers in Akins, *Selections*, 538.

<sup>44</sup> *Gazette*, August 29, 1752.

<sup>45</sup> Journal entry for September 17, 1752, in Rompkey, *Expeditions of Honour*, 125. Salusbury earlier noted he was reluctant to serve on the committee investigating Little, "Knowing this man greatly to have Injured the Public." He also suspected others were involved and doubted it would be possible for the committee "to detect half the wickedness of the Deeds of those connected in the stores." Journal entry, July 26-August 27, 1752, 122-3.

<sup>46</sup> See September 17, 1752 entry in *ibid*, 125.

<sup>47</sup> The front page of the *Halifax Gazette* is almost an exact replica of the *Boston Gazette* of March 7-14, 1719/20, right down to the arrangement of the title, place name and edition number and the woodcut of a ship under sail. See reproduction in Clark, 111. Whitelaw has noted the similarity between the front pages of the *Gazette* and the *Boston Gazette and Country Journal*, circa 1768. Whitelaw, *First Impressions*, 11. See also the front page of that paper's March 12, 1770 edition, reproduced in Allen Hutt, *The Changing Newspaper: Typographic Trends in Britain and America, 1622-1972* (London: Gordon Fraser, 1973), 26.

<sup>48</sup> Fauteux, 6.

<sup>49</sup> Thomas, 591; P. L. Simmonds, "Statistics of Newspapers in Various Countries," *Journal of the Statistical Society of London*, vol. 4 no 2 (July 1841), 123-4.

<sup>50</sup> Warren Chappell, *A Short History of the Printed Word* (New York: Alfred A. Knopf, 1970), 145.

<sup>51</sup> *Canadian Book of Printing: How Printing Came to Canada and the Story of the Graphic Arts, Told*

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*Mainly in Pictures* (Toronto: Toronto Public Libraries, 1940), 71.

<sup>52</sup> A dropped 'r' meant an item published in the October 14, 1752 issue was attributed to the *Univesal Magazine*, and a missing 'a' attributed another to the *London Gzette* on June 15, 1754. On December 9, 1752, Bushell corrected a date that appeared in a government proclamation published the week before. In the January 6, 1753 issue, he made an all-too-common New Year's mistake and the year on the front-page remained 1752. (On the copy preserved on microfilm, someone – perhaps Bushell himself – has corrected the error in ink. The number 2 has been crossed out and 3 written above it.) The August 10, 1754 issue led with Governor William Shirley's speech to the Massachusetts assembly but gave the incorrect date of June 17, 1745. Public works director and paymaster Richard Bulkeley's name was misspelled "Bukeley" in a government notice published on September 8, 1753. Bushell also misspelled part of the name of the Marquis de Conte et Gravina, a Sicilian nobleman who lived in Halifax, in a September 28, 1754 advertisement.

<sup>53</sup> See Bushell's notice to readers in the April 13, 1752 edition.

<sup>54</sup> Michael Schudson and Susan E. Tift. "American Journalism in Historical Perspective," in Geneva Overholser and Kathleen Hall Jamieson, eds., *Institutions of American Democracy: The Press* (New York: Oxford University Press, 2005), 18.

<sup>55</sup> A Massachusetts-born merchant and soldier schooled in the guerilla tactics of the North American frontier, Gorham fought the French in Nova Scotia in the 1740s and took part in the capture of Louisbourg in 1745. He played a key role in defending Halifax against native attackers from the settlement's founding to his death at age 42. John David Krugler, "John Gorham," *DCB*.

<sup>56</sup> W.S. MacNutt, *The Atlantic Provinces: The Emergence of Colonial Society* (Toronto: McClelland & Stewart, 1965), 34-5.

<sup>57</sup> In the December 2 and 30 editions, the Halifax section contained government proclamations but no other local news.

<sup>58</sup> See *ibid*, February 24, March 3, 10, 17, 24, 1753.

<sup>59</sup> They are the May 12, 26, August 4, 18, 25, December 22, 29, 1753 editions.

<sup>60</sup> The eight issues offering no Halifax news were February 9, 23, March 9, April 27, June 22, 29, August 3, 24, 1754.

<sup>61</sup> See *Gazette*, March 10, May 12, 1753, February 9, March 9, 1754.

<sup>62</sup> *Ibid*, August 18, 25, 1753.

<sup>63</sup> The papers examined were the *News-Letter*, 1707-1776, *Gazette*, 1719-1783, *Post-Boy*, 1734-1769 and *Evening Post*, 1735-1775. George A. Rawlyk, *Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relations, 1630-1784* (Montreal and London: McGill-Queen's University Press, 1973), 283.

<sup>64</sup> Mitchell Stephens, *A History of News* (Fort Worth: Harcourt Brace & Co., 1997), 215-6, 228; Wilfred H. Kesterton, *A History of Journalism in Canada* (Toronto: McClelland & Stewart, 1967), 6.

<sup>65</sup> John Nerone and Kevin G. Barnhurst, "US Newspaper Types, the Newsroom, and the Division of Labor, 1750-2000," *Journalism Studies*, vol. 4, no. 4 (2003), 436.

<sup>66</sup> Letter, John Salusbury to Hetty Salusbury, October 16, 1752, reproduced in Rompkey, *Expeditions of Honour*, 151.



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<sup>67</sup> Schudson and Tiftt, 18.

<sup>68</sup> Stephens, 216-7.

<sup>69</sup> There is no "official date when a group of practitioners began to call themselves 'journalists' and carried out activities clearly distinct from the work of printers, publishers, pamphlet writers, or ballad composers," notes Stephen Ward. And only later in the eighteenth century "did 'reporter' begin to apply to a group of newspaper journalists covering the courts, Parliament, fires, and other notable events." Stephen J.A. Ward, *The Invention of Journalism Ethics: The Path to Objectivity and Beyond* (Montreal and Kingston: McGill-Queen's University Press, 2004), 89. For the origins of the terms "journalist," "news-writer" and "reporter," consult the *Oxford English Dictionary*, online edition, <http://dictionary.oed.com>.

<sup>70</sup> *Gazette*, May 26, 1753.

<sup>71</sup> *Ibid*, July 28, 1753.

<sup>72</sup> *Ibid*, January 5, 1754.

<sup>73</sup> Robert W. Jones, *Journalism in the United States* (New York: E.P. Dutton & Co., 1947), 44-6.

<sup>74</sup> Nerone and Barnhurst, 436.

<sup>75</sup> Jeremy Black, *The English Press in the Eighteenth Century* (Philadelphia: University of Pennsylvania Press, 1987), 87, 96.

<sup>76</sup> See, for example, the *Gazette* for April 13, 1752, June 16, August 25, 1753.

<sup>77</sup> *Ibid*, February 10, 1753.

<sup>78</sup> *Ibid*, July 21, 1753. The shipwreck was first reported in the June 23, 1753 edition.

<sup>79</sup> *Ibid*, February 16, 23, 1754.

<sup>80</sup> As reported, for instance, in the March 30, 1752 edition.

<sup>81</sup> This was the case in the *Gazettes* of April 6 and 13, 1752.

<sup>82</sup> Ward, 142. *The Rambler* appeared bi-weekly from March 1750 to March 1752. Bushell again drew on Johnson's magazine for much of the front page of his May 23, 1752 edition.

<sup>83</sup> *Gazette*, April 25, 1752.

<sup>84</sup> *Ibid*, October 7, 1752.

<sup>85</sup> One of Bradstreet's patrons in England, Charles Gould, wrote him on October 6, 1755, noting: "I read your name in the papers, as having made a Speech to an Assembly of Indians with Success." William G. Godfrey, *Pursuit of Profit and Preferment in Colonial North America: John Bradstreet's Quest* (Waterloo, Ont.: Wilfrid Laurier University Press, 1982), 66-7.

<sup>86</sup> Gould to Bradstreet, August 27, 1755, cited in *ibid*, 67.

<sup>87</sup> *Gazette*, October 7, 14, 1752.

<sup>88</sup> *Ibid*, November 11, 1752.

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- <sup>89</sup> Ibid, October 21, 1752.
- <sup>90</sup> Ibid, April 18, 25, 1752.
- <sup>91</sup> Ibid, May 19, 1753.
- <sup>92</sup> Ibid, January 13, April 21, October 6, 1753, January 19, 1754.
- <sup>93</sup> Ibid, August 11, 1753.
- <sup>94</sup> Ibid, March 23, 1754.
- <sup>95</sup> Ibid, February 10, 1753.
- <sup>96</sup> Ibid, February 2, 1754.
- <sup>97</sup> Ibid, December 15, 1753.
- <sup>98</sup> Ibid, September 1, 1753.
- <sup>99</sup> For an overview of these negotiations and their importance to British interests in Nova Scotia, see MacNutt, 36-41.
- <sup>100</sup> *Gazette*, May 16, 1752
- <sup>101</sup> Ibid, July 11, 1752.
- <sup>102</sup> See, for example, the March 24, September 29 and November 3, 1753 editions.
- <sup>103</sup> Ibid, May 19, 1753.
- <sup>104</sup> Black, 80.
- <sup>105</sup> Stephens, 99.
- <sup>106</sup> *Gazette*, June 27, 1752.
- <sup>107</sup> Ibid, November 11, 25, 1752. The November 11 item indicates the case was also reported in the November 4 issue, which is not extant.
- <sup>108</sup> Ibid, May 19, 1753.
- <sup>109</sup> Ibid, September 29, 1753.
- <sup>110</sup> Coverage of foreign crimes in eighteenth-century British papers is noted in Black, 80-1.
- <sup>111</sup> *Gazette*, June 27, 1752.
- <sup>112</sup> Ibid, January 6, 1753.
- <sup>113</sup> Ibid, February 17, 1753.
- <sup>114</sup> Ibid, March 24, May 26, 1753.
- <sup>115</sup> Ibid, May 2, 1752.

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<sup>116</sup> Ibid, May 30, 1752. The creature was not a whale, an animal known to the early settlers. When a thirty-foot whale followed a school of mackerel into the harbour the following year, a group of men in a small boat killed it with axes and towed it to shore to make oil. Ibid, September 1, 1753.

## Chapter 4

### **“These poor Times”: The *Halifax Gazette*’s Struggle to Survive**

In a March 1754 issue of the *Halifax Gazette*, John Bushell acknowledged receipt of a reader’s submission, which had come his way in answer to an item previously published in his paper. “*But,*” he explained in an editor’s note, “*as it came without a Silver Title Page, which would exceedingly grace the Performance to the Printer, (these poor Times), it cannot at present be inserted.*”<sup>1</sup> The note may have been inserted in jest, since Bushell often published submissions from readers – apparently without charging a fee – and thanked them for helping to fill his columns. Whatever his motivation, the comment underlined the precarious position of Bushell’s printing business and early Halifax.

Times were poor in 1750s Nova Scotia. Halifax’s population, which approached 5,000 at the start of the decade, dwindled to about 1,500 in 1755. The departure of the Foreign Protestants to settle Lunenburg in 1753 accounted for much of the decline, but there were other factors. Halifax’s soil was unsuitable for farming. The threat of native attacks delayed efforts to establish outlying settlements to supply the town, forcing residents to import expensive provisions. The fishery did not live up to its promise. “Industry languished and virtually disappeared as Halifax became a community completely dependent on the flow of cash from Britain.”<sup>2</sup> The annual parliamentary grant to support the colony averaged about £57,000 between 1749 and 1757, peaking at £94,615 in 1753.<sup>3</sup> The expulsion of much of the Acadian population in 1755 opened their fertile lands along the Bay of Fundy to settlement, but the New Englanders expected to

take their place were slow to arrive. Nova Scotia's survival hung in the balance in the early years of the Seven Years War (1756-1763) with France, but Halifax's strategic location made it a key military base and war spending temporarily boosted the economy. In 1761, a dozen years after its founding, government largesse remained crucial to Halifax's survival and the population stood at just 2,500. "The principal Support of these Inhabitants depend[s] on the Navy and Army stationed there," noted a survey completed that year, "and a few Civil Officers supported by the Government at Home."<sup>4</sup>

The *Gazette's* columns offer proof that the city was a tough place to do business. The largest advertisement in the April 18, 1752 issue described the array of goods – from cloth for ladies' petticoats to window glass and tobacco – being sold off by merchant Francis Martin, who was leaving the colony. From then until the fall of 1754, the paper was peppered with notices of liquidation sales, offers to sell or rent vacant houses and calls to settle accounts with a departing merchants and tradesmen. The September 28, 1754 edition alone contained three notices from business owners announcing their imminent departure. Given the precarious state of the local economy, it is not surprising that Bushell's *Gazette* and printing business were often on shaky financial ground. Isaiah Thomas described Bushell as a businessman who lacked "the art of acquiring property" and failed to make "the most economical use of the little which fell into his hands."<sup>5</sup> He had been in business for sixteen months before he had accumulated enough money, in July 1753, to buy "One full Half Part" of a lot on Grafton Street, the site of his shop and press, for £25.<sup>6</sup> The delay in purchasing the premises, by itself, underlines Bushell's struggle to build his business.

Court and property records confirm his financial woes. Otis Little took him to

court in November 1753 seeking payment of £50 and, in March 1754, was granted a lien on the printing office.<sup>7</sup> The basis for the claim is unclear, since Little had relinquished his share of the printing business to the third partner, Thomas Gunter, in June 1753.<sup>8</sup> Little was in serious financial trouble and desperately needed money to pay at least £148 in debts and to extinguish two liens against his Halifax home.<sup>9</sup> Worse, his legal career was in shambles. He was accused of demanding £10 from the wife of Thomas Power, a man he was prosecuting for piracy, in exchange for an assurance Power would not be convicted. The council investigated and in April 1753 concluded the allegation “was as fully proved as the nature of the case would admit.” Little was dismissed as King’s attorney and relegated to pleading less-lucrative cases in the Inferior Court of Common Pleas. Despite this restriction on his practice, he became a thorn in the side of the government the following year by acting for the defence in two high-profile cases, both with political overtones – John William Hoffman’s trial on charges of instigating an uprising at Lunenburg, and the prosecution of suspected smugglers accused of murdering two Royal Navy seamen. Disgraced and deeply in debt, Little fled to the West Indies and died sometime in 1754.<sup>10</sup> His downfall and hasty departure may have saved Bushell from financial ruin, as there is no indication in the Halifax court files that Little’s £50 judgment against him was ever paid.<sup>11</sup>

The reprieve was short-lived. William Piggott, a trader and innkeeper, secured a lien on the printing office in February 1754 to recover a debt of £13.<sup>12</sup> That November a New England trader, Richard Upham, sued Bushell for non-payment of bills and won almost £11 in damages and court costs.<sup>13</sup> By the end of 1754 Bushell still owed £6 to Upham, who threatened to have him jailed unless the balance was paid. The Grafton

Street property – a “half Lott & Buildings Thereon, being half of the Printing Office & Lott” – was ordered sold at public auction. Upham’s lawyer, James Freeman, scooped up the property on his client’s behalf in December 1754 for the bargain-basement price of £7, which covered the unpaid debt and court costs.<sup>14</sup> The deed was transferred to Upham in April 1755.<sup>15</sup> Bushell was spared debtor’s prison<sup>16</sup> but lost his only Halifax property and now had Upham as an absentee landlord.

The *Gazette* offered Bushell a steady, if modest, source of income. It was “inevitable,” one writer has noted, that printers “would try their hand at newspapers as a relatively low-cost branch of their main business ....”<sup>17</sup> A newspaper generated revenue from subscriptions and advertising while drawing attention to the print shop’s other services and showcasing the printer’s talents every week. By April 1754 Bushell was selling subscriptions for 12 shillings a year,<sup>18</sup> which is what it had cost to subscribe to the *Boston News-Letter* a half-century earlier.<sup>19</sup> The rate remained unchanged until at least August 1755<sup>20</sup> and works out to just under three pence a copy. In the mid-1760s, according to Isaiah Thomas, no more than seventy copies were produced per week, and “subscribers did not amount to that number.”<sup>21</sup> The estimate appears credible: the province’s first magazine, the *Nova Scotia Magazine and Comprehensive Review of Literature, Politics and News*, first published in 1789, boasted only 267 subscribers at a time when the province’s population exceeded 40,000.<sup>22</sup> Assuming the *Gazette* also sold seventy copies a week in the 1750s,<sup>23</sup> revenue from subscriptions and single-copy sales could have totalled £42 a year.

Bushell’s major expense was the outlay for his press and type, which had been built in England and imported to the New World.<sup>24</sup> His operating expenses were modest.

Colonial printers usually made their own ink by boiling soot and varnish. Paper, however, had to be imported. Three mills that converted rags into paper were in operation in the American colonies by 1725 but a similar mill was not established in Nova Scotia until 1819.<sup>25</sup> Distribution does not appear to have been a major expense for Bushell: the *Gazette* would have had few readers outside Halifax, which accounted for the bulk of the colony's English-speaking population in the 1750s. Bushell had no access to postal services until April 1754, when Benjamin Leigh's privately run Office of Intelligence began charging a penny a letter to arrange for correspondence to leave on outgoing ships. Leigh abandoned the operation within four months but it appears to have continued under new management.<sup>26</sup> The British government opened a post office in Halifax in 1755 to improve communication with Britain and among the North American colonies,<sup>27</sup> a service that would have helped Bushell obtain the foreign papers he relied on to fill his columns.

A chronic shortage of money in Halifax restricted Bushell's cash flow. "On Credit Onely We Live," land registrar John Salusbury lamented in 1752.<sup>28</sup> Even the government's financial capacity was limited. "Our treasury Here is so poor," Salusbury noted on another occasion, "that it would be almost a shame to draw on it."<sup>29</sup> Cash was in short supply. "There were no bank notes, very little coin of any kind and very little of anything in the shape of money," noted one study of early commerce in the colony. "The principal means of buying or selling was by barter and the greater part of the trading was simply swapping commodities one with another."<sup>30</sup> As late as the 1820s, Nova Scotia's newspaper proprietors would accept flour, butter and other farm produce in exchange for subscriptions.<sup>31</sup> One colonial newspaper appealed in 1835 to its "wood paying



subscribers” to provide a few cords of firewood “at their earliest convenience.”<sup>32</sup> Bushell, like his successors, would have traded goods for *Gazette* subscriptions and printing work.

Each edition contained a note soliciting advertisements, but there is no evidence of how much Bushell charged to insert them. It cost between twelve pence and five shillings to place an ad in the *Boston News-Letter* in 1704; since the price of a *Gazette* subscription matched that of the *News-Letter* fifty years before, it is possible Bushell charged similar advertising rates.<sup>33</sup> Bushell enjoyed some repeat business from advertisers. Leigh and Wragg, located “at the Sign of the Hand and Pen” on Granville Street, offered instruction in spelling, reading and accounting in each of the first three issues. Merchants Nathans and Hart took out a large ad in three consecutive issues in April to list the groceries, wine, tobacco, cloth, and other imported goods available at their store. Henry Meriton’s advertisement for his academy for young gentlemen appeared in three of the paper’s first seven issues. Hannah Hutchinson twice let it be known that she was available to teach young ladies needlework and embroidery, as well as French and country dances. An unidentified lawyer who offered to draft legal documents inserted an ad in five of the first eight issues. Henry Sibley, who made soap and candles, promoted his wares on an almost weekly basis between July 1752 and March 24, 1754. The *Gazette* published a steady stream of other advertisements that resembled modern classified ads. There were offers to rent or sell houses, help-wanted ads, and lost-and-found notices, including one note seeking the owner of a silver seal found on the street and another pleading for the safe return of Mopsey, Capt. George Fotheringham’s “little Pug Dog.”<sup>34</sup> Bushell sometimes acted as the go-between; persons responding to some advertisements were advised to “Enquire of the Printer,” including notices seeking

an “honest sober Person” to work as a housekeeper, tenants for empty stores and houses and a buyer for “a good Milch Cow.”<sup>35</sup>

Commercial advertisements appear to have been an unreliable source of income. The number of ads placed by businesses and individuals fluctuated wildly. By issue No. 3, published on April 6, 1752, the entire second page was filled with advertisements and two had spilled onto the front page. Ads accounted for more than half of the next three issues, but the number dropped abruptly to a single column in the May 2 and May 9 editions. The initial novelty of having a weekly newspaper as a vehicle to promote goods and services seems to have worn off. By May 16, Bushell could muster only three slim ads. This pattern of feast or famine continued for the balance of 1752 and was repeated in 1753 and 1754. The issues of June 27 and July 11, 1752 carried almost a full page of advertising, but the amount dropped to about one column for the two weeks that followed. By the fall of 1752 the paper was publishing no more than five ads a week, filling less than one-half of a column – roughly an eighth of the paper. In 1753 the January and February issues contained between three and five advertisements, with only a single notice appearing in the March 10 and 17 editions. Ten advertisements ran during the week of April 21 but for the balance of the year most weeks there were only three or four per issue. That was the case for the first half of 1754 but business picked up during the summer, with eight ads appearing on June 29 and July 6, nine on August 3, ten on August 10 and 24, eleven on September 28 and twelve in the August 17 edition. By November, however, Bushell was taking in no more than four ads per week. The following year was more of the same, judging by the three surviving issues for that year. There were four advertisements in the February 15 issue, five in the March 1 edition, and three tagged

onto the end of the August 23 issue. In the December 9, 1758 edition, the only one in existence for that year, seven slim ads accounted for barely half of the final column.

A review of official proclamations and notices published in the *Gazette* casts doubt on the assumption that government patronage was a major source of income for Bushell. Government, like the city's merchants, was an unreliable customer. Five issues of the *Gazette* appeared in May 1752 and none carried a single government ad. The paper's second issue, dated March 30, 1752, announced a new process for registering deeds and mortgages and the date for an upcoming sitting of the Inferior Court of Commons Pleas. The April 13 edition saw the first of three insertions of the government's offer to subsidize farmers who cleared land and produced hay, grain and flax. No further notices appeared until July, when three successive editions carried a notice prohibiting the cutting of trees on one of the harbour islands, an ad for a land auction, and details of a lottery to raise money to build a lighthouse. The lottery ad continued to appear until late August, when the government announced it was abandoning the scheme due to poor ticket sales. Government advertising for the remainder of 1752 was sparse. An offer to reimburse those who bought tickets in the lottery appeared until September 23. Brief notices related to the fall sitting of the inferior court were the only official ads published in October. A notice threatening to prosecute persons who were claiming to purchase supplies for the governor's household appeared for three successive weeks beginning on November 25. That same day the land registrar, John Salusbury, inserted the first of four weekly notices of his office hours at the courthouse. The front pages of December 2 and 9 editions were used to publish the full text of the act of Parliament correcting the calendar, even though the changes it outlined had been made three months earlier. The final edition

for 1752 featured a proclamation threatening to confiscate privately owned land that was not cleared and fenced within eighteen months.

There was a sharp drop in the number of government notices published in 1753. Only a dozen appeared in the forty-five surviving issues published that year, and of these four were recurring notices summoning litigants to court sittings. Other official notices dealt with an admiralty court auction, bounties due to settlers who had cleared land and the offer of a £20 reward for the conviction of those responsible for a break-in at the government pay office. Bushell published a proclamation on June 2 commanding men between the ages of sixteen and sixty to assemble for militia duty and cleared the front page of his July 7 edition to publish a chart that listed the various companies of militia and their officers. Bushell also published long-winded speeches delivered when Governor Peregrine Hopson departed for England and Col. Charles Lawrence was put in command in his absence.<sup>36</sup> Seventeen government advertisements appeared in the forty surviving issues published in 1754, but four were routine notices of sessions of the Inferior Court of Common Pleas and multiple insertions of the same ad accounted for seven of the remaining thirteen. The only notable coverage of public business was the publication, on October 19, of speeches marking Lawrence's appointment as lieutenant governor. There are no official notices or government advertisements in the three surviving issues published in 1755 or in the single edition extant for 1758.

The government did not rely on the *Gazette* alone to communicate with its citizens. The provost marshal continued to announce new laws in public places long after the paper appeared. One of the first pieces of legislation the Nova Scotia legislature passed in 1759 decreed that "the publick Reading [of] any Law of this Province, by the

Provost Marshal or his Deputy, on the Parade of *Halifax*, after Notice by beat of Drum, shall be deemed a sufficient Publication thereof.”<sup>37</sup> Publication of legislation in the *Gazette* was not considered to be formal notification until 1771, when the legislation was amended to recognize “Notice being given in the *Nova Scotia Gazette*, or other publick News Paper, or by affixing such Notice on the Church Door at Halifax” as “a full and proper Publication” of laws.<sup>38</sup> The public reading of important announcements persisted for two reasons. Not all residents could read, so disseminating information in print alone would not reach all citizens. Just as importantly, the government needed a means to communicate with the colony’s Acadians (the majority of the population prior to the expulsions that began in 1755) and its large contingent of German-speaking settlers. When the government restricted the export of hides and grain in 1754, for instance, Governor Charles Lawrence directed the officer in charge at Lunenburg – the Foreign Protestants’ settlement – to announce the laws in German and French, “by beat of drum,” so “no body may have it in their Power to plead Ignorance.”<sup>39</sup> Each Acadian community elected a slate of deputies to deal with the government, who were used to pass along official information. In May 1755, for instance, the British commander at Piziquid was instructed to “publish” a proclamation calling on the Acadians to turn in French deserters “by means of the Deputies.”<sup>40</sup> The government also relied on the provost marshal to make announcements too urgent to wait for the paper’s weekly publication day to roll around. At noon April 5, 1762, for instance, the provost marshal announced that Britain and Spain were at war, three months and a day after the same declaration was read publicly in London.<sup>41</sup>

Bushell produced or is credited with producing twenty-three official government

publications between 1752 and 1760, less than three per year.<sup>42</sup> The list includes a dozen proclamations issued by the governor and council, most if not all republished in the *Gazette*. The *Act for establishing and regulating a Militia*, for instance, was published as a four-page document in 1753 and was reprinted in the *Gazette* in two instalments in January 1754.<sup>43</sup> Bushell also printed a 1752 agreement with the governor of Quebec to facilitate the exchange of deserters, a treaty signed with a Mi'kmaq chief in 1753 and individual statutes. He also produced pre-printed forms government officials used to record deaths, ships that cleared customs, and apprenticeships for orphans. Bushell apparently did other work for the government that has not survived. The council, for instance, ordered advertisements "to be printed and dispersed thro' the Province" in August 1752 to notify residents of the imminent change to the calendar.<sup>44</sup>

One of Bushell's earliest official publications was *An Act For the Relief of Debtors, with Respect to the Imprisonment of their Persons*, which the council enacted on December 6, 1752.<sup>45</sup> In it, he identifies himself as "Printer to the Government." This description appears on nine other government publications, but it does not appear to have been an official title and there is no evidence it carried a salary. Neither the title nor Bushell's name appear on a list of Nova Scotia officials who were on the public payroll in 1753.<sup>46</sup> How much Bushell earned from his government printing is unknown. In the early 1760s the government was paying Bushell's successor, Anthony Henry, between £41 and £89 per year.<sup>47</sup> Bushell would have earned much less, however, as these figures include commissions to print the laws and journals of the House of Assembly, which only came into existence fifteen months before Bushell's death.

Far fewer examples of Bushell's commercial printing work have survived, which

is not surprising given the limited lifespan of such ephemera. In 1752 he produced a price list for merchants Nathans and Hart, who advertised in early editions of the *Gazette*. By the fall of 1753 he was printing blank forms for powers of attorney, indentures, bills of sale, seamen's tickets and other documents, which he frequently advertised for sale in the *Gazette*.<sup>48</sup> Bushell is believed to have printed the bylaws and membership list of the Union Fire Club in 1759. He also privately sold some of the publications he produced, including a drill instructor's manual and at least one of the statutes he printed for the government, the act regulating the militia.<sup>49</sup> It was common for colonial printers to sell books and printed materials out of their shops to help make ends meet. Indeed, it has been noted that "a printer of the eighteenth century conducted something not unlike a department store."<sup>50</sup>

Several studies of Canada's early press history have attributed Bushell's financial woes to excessive drinking. Writing in the 1880s, Halifax journalist J.J. Stewart noted that Bushell was often in debt and "the proportion of liquid groceries in his bill was much larger than it should be in any well ordered household." Ægidius Fauteux repeated the assertion almost verbatim in a history of Canadian printing published in 1930. "This deplorable habit," Fauteux concluded, "sufficiently explains Bushell's failure to achieve brilliant prosperity." When Eric Haworth chronicled the development of printing in the 1960s, he attributed Bushell's financial woes to "his inability to pay close, constant and acute attention to business" and "his love of the bottle."<sup>51</sup> Stewart cited court records as evidence that Bushell drank too much, and it appears his assumption is based on a single court action – William Piggott's 1754 lawsuit to recover a debt of £13.<sup>52</sup>

Colonial-era American printers had a reputation for drinking to excess, even in an

era when all labourers and tradesmen drank heavily; the work was physically demanding and beer was the beverage of choice to slake thirsts. “While rich in tradition and craft pride, printing office culture was built around heavy, on-the-job drinking,” historian Jeffrey Pasley has noted. Printers’ memoirs, he added, are replete with stories of “old masters, friends, and colleagues who died young or stayed poor because of chronic intemperance ... the toll on printers’ health, prosperity, and public image was severe.”<sup>53</sup> Benjamin Franklin worked in a London print shop in 1725 with men who were “great Guzzlers of Beer.” They believed strong beer gave them more strength to operate the presses and employed a boy to fetch pints from a nearby tavern as they worked. Franklin drank only water, which was such a rarity in the trade that his co-workers nicknamed him the “Water-American.”<sup>54</sup>

There is no doubt excessive drinking could absorb a printer’s earnings; Franklin, who was tight with his money, was appalled that one of his fellow pressmen was having five shillings a week deducted from his wages for “that muddling Liquor.”<sup>55</sup> Money squandered on alcohol could account for Bushell’s struggle to build his printing business and his recurring financial problems. But Isaiah Thomas, who worked in Halifax shortly after Bushell’s death – and rarely ignored the shortcomings of his fellow printers – made no mention of Bushell having a drinking problem. Then again, his comment that Bushell’s failed to make “the most economical use of the little [property] which fell into his hands” may be a veiled reference to money squandered on drink.<sup>56</sup> The evidence appears inconclusive. Piggott was named in more than twenty court actions filed between 1753 and 1757 and was described as a tavernkeeper only three times; he was usually referred to as a trader, a retailer or an innholder.<sup>57</sup> The cash-strapped Bushell may have



been in debt to Piggott for food or other goods or services, not for alcohol.

In any event, Bushell's financial position stabilized after 1754. He faced only one debt action between 1755 and 1759, when wartime spending boosted Halifax's economy. Thomas Gunter sued in 1757 for payment of £16, which represented his share of profits under their 1753 partnership agreement. Bushell promptly paid the debt,<sup>58</sup> indicating he had money in hand and profits to share. While Bushell's cash flow is impossible to calculate, his subscribers, advertisers and printing clients appear to have paid their bills; court records for the period are relatively intact and there is no record of Bushell suing his customers or business associates. Thomas claimed government work, while "inconsiderable," was "the chief support of Bushell."<sup>59</sup> Yet this assessment appears to underestimate the *Gazette's* key role in his printing business. Bushell faithfully published the paper, week after week, for almost nine years,<sup>60</sup> suggesting it made money or at least paid its way. He does not appear to have had the financial capacity to publish the paper for so many years if it consistently lost money. Indeed, the *Gazette* may have been Bushell's only reliable source of income; subscription revenues were the lone constant in a business where advertising revenues fluctuated and government and private printing contracts could be elusive.

Bushell had two children who followed him into the printing trade. His son and namesake, John, apprenticed with Daniel Fowle, a printer in Portsmouth, New Hampshire, and went on to work as a printer in Philadelphia, where he later operated a tavern.<sup>61</sup> Elizabeth worked in her father's shop, learned how to set type and operate the press, and was described as "a swift and correct compositor."<sup>62</sup> She is the only person known to have worked with Bushell until he took on an apprentice, Anthony Henry,

sometime after 1758. Born in France of German parents, Henry is believed to have learned the printing trade in Europe before coming to America. He served in the British army and, at age twenty-four, was a fifer in one of the regiments that captured Louisbourg in June 1758. He likely spent time in Halifax before the siege, as the settlement was used as a staging area for troops and ships amassed for the expedition. Discharged in New Jersey, he worked a number of months for a printer there before making his way to Halifax. Henry was “ingenious” and “possessed of a fund of good nature, and was of very cheerful disposition,” recalled Thomas, who worked for him in the 1760s. Thomas was less impressed with Henry’s work habits, dismissing him as lazy, “inattentive to his affairs” and “not skillful as a printer.”<sup>63</sup> By September 1759 Henry was working for Bushell at a rate of two shillings six pence per day – a decent wage at a time when labourers in Halifax made just six pence a day, artisans commanded a daily rate of one shilling, six pence, and a low-level Nova Scotia government official earned five shillings a day.<sup>64</sup> The work was sporadic and became steadier over time – Henry submitted an account for nine days worked in September 1759, fifteen the following month, thirteen in November, and twenty in December.<sup>65</sup>

Bushell was in need of the help, even if Henry was not the most energetic of apprentices. He was struggling to keep up with the additional printing work created by the establishment of the House of Assembly in 1758. The assembly ordered the journals of its proceedings “to be corrected for the press” in February 1759, but this forced Bushell to delay publication of the statutes passed during the assembly’s first session. Within a month the clerk of the council was complaining that “the Printer delays printing the Laws that have been enacted, alledging [sic] that he is employed in printing the Journals of the

House of Representatives.” The assembly, which acknowledged the delay in compiling the statutes was causing “murmuring” and “uneasiness among the Inhabitants,” ordered Bushell on March 5 “to suspend printing the votes and to get on with the acts.” Bushell managed to print the statutes before the end of 1759 but not the journals, which for the years 1758 to 1760 survive only in handwritten form.<sup>66</sup> The assembly continued to demand action, however, and voted in December 1759 to have its minutes printed on a weekly basis.<sup>67</sup>

By May 1760 the government owed Bushell slightly more than £100 for printing work he had completed,<sup>68</sup> but the bill remained unpaid and Bushell’s finances were once again in shambles. His Boston partner, Thomas Gunter, launched a new lawsuit in March 1759, seeking £100 in damages and claiming Bushell had not accounted for the print shop’s earnings and profits since May 1756. The last payment made was the £16 Bushell coughed up after Gunter took him to court in 1757. Bushell offered no defence – the court clerk’s endorsement on the paperwork states the defendant “defaulted for non Appearance” – and there is no record of how the case was settled.<sup>69</sup> Bushell could have covered at least a portion of Gunter’s claim, had he chosen to – only weeks later, in May 1759, he paid £25 to buy the Grafton Street lot adjoining his print shop.<sup>70</sup> Yet by September he was so strapped for cash he had stopped paying Henry. His apprentice was forced to sue for £9 in unpaid wages – representing 62 days’ work completed between September 1759 and the first week of January 1760.<sup>71</sup> There is no evidence Bushell contested this claim either, but it may have been the catalyst for a new business arrangement. In September 1760 Bushell and Henry formed a partnership to run the shop.<sup>72</sup> Failing health may have accounted for Bushell’s financial problems and the

delays in finishing print jobs; indeed, a couple of property transactions at the end of 1760 appear designed to put his financial affairs in order. Richard Upham had owned the print shop since picking it up at auction in 1754; on December 9, 1760, Bushell paid him £61 to buy it back.<sup>73</sup> He resold the property the same day to a Halifax ship's captain for £71.<sup>74</sup> The advantage of the deals, besides the £10 profit, may have been to transfer the shop to a local landlord.

Bushell died in January 1761 at age forty-five.<sup>75</sup> Henry and lawyer William Nesbitt, Nova Scotia's attorney general and speaker of the House of Assembly at the time,<sup>76</sup> were appointed administrators and executors of his estate in February 1761, after posting a £100 bond with the governor. Henry was delegated to prepare an inventory of the "goods, Chattels and Creditts" of his former boss for the Court of Wills and Probate.<sup>77</sup> Nesbitt's presence as an executor may have reflected the government's interest in ensuring the *Gazette* continued to publish. He also acted for Thomas Gunter, however, so his role may have been to protect the interests of a client whose £100 claim for breach of contract likely made him the estate's largest creditor.<sup>78</sup> The assembly finally approved the £100 the government owed to Bushell in July 1761,<sup>79</sup> which may have been used to settle Gunter's claim.

Henry took over the print shop, became publisher of the *Gazette* and assumed Bushell's unofficial title of "Printer to the Government."<sup>80</sup> Isaiah Thomas reported that Bushell left "little, if any, property to his family,"<sup>81</sup> and archival records suggest he was correct. Bushell's children inherited a joint interest in the adjoining lot of land. Elizabeth Bushell<sup>82</sup> remained in Halifax until at least 1764, when she sold her interest in the property to Henry. The lot had been worth £25 in 1759 but Henry paid her a fraction of

that, just 40 shillings,<sup>83</sup> a price that likely reflects the post-war slump in Halifax's property values.<sup>84</sup> Bushell's son appears to have been living in Halifax in the late 1760s and sold his share in the Grafton Street lot to Henry in 1767 for £6,<sup>85</sup> severing the Bushell family's last connection with the *Halifax Gazette*.

A closer examination of John Bushell's finances suggests historians have been too quick to accept Isaiah Thomas' view that government work was the mainstay of his newspaper and printing business. Bushell, like other businessmen in early Halifax, struggled to survive in a new settlement where money was in short supply and a boom-and-bust economy made it difficult to establish a foothold. The number of government and commercial advertisements in the *Gazette* fluctuated, making them an unreliable source of income. Commissions to print laws and other official publications were equally elusive, with the government ordering fewer than three publications a year. That changed after 1758, when Bushell found it difficult to meet a sudden increase in demand for official printing from a newly established assembly, but overdue accounts for his government work compounded his financial problems. Lean times or bad, Bushell's unofficial title of "Printer to the Government" appears to have done far less for his bottom line than students of Nova Scotia's early press have assumed. The *Gazette*, in contrast, offered a steady income in the form of subscriptions and single-copy sales. A close examination of the newspaper's contents offers further evidence to dispute the traditional image of Bushell as a timid printer beholden to the government, who dared not publish anything that might offend those in power. To fully understand the news and opinions Bushell published or chose to ignore, it is necessary to review the political context in which he operated.

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## Endnotes

- <sup>1</sup> *Halifax Gazette*, March 9, 1754.
- <sup>2</sup> W.S. MacNutt, *The Atlantic Provinces: The Emergence of Colonial Society* (Toronto: McClelland & Stewart, 1965), 53-4.
- <sup>3</sup> John Bartlet Brebner, *The Neutral Yankees of Nova Scotia: A Marginal Colony during the Revolutionary Years* (New York: Columbia University Press, 1937), 18.
- <sup>4</sup> Charles Morris, "Description and State of the New Settlements in Nova Scotia in 1761," *Report Concerning Canadian Archives for the Year 1905*, vol. 2. (Ottawa: Public Archives of Canada, 1906), App. F, 290-1.
- <sup>5</sup> Isaiah Thomas, *The History of Printing in America* (New York: Weathervane Books, 1970), 591.
- <sup>6</sup> Deed, Ezekiel Gilman to John Bushell, July 10, 1753. Nova Scotia Archives and Records Management, MG 100 vol. 20 #10. Bushell likely paid less than market value for the property, as Gilman was mired in debt and owed more than £145 to various creditors. See NSARM, Records of the Inferior Court of Common Pleas for Halifax, RG 37 vol. 1A (1752), #114, 152, 154, 171; vol. 1B (March 1754-June 1756), p. 57; RG 37 vol. 2 (1753-1755), #10, 11, 21, 36.
- <sup>7</sup> *Otis Little v. John Bushell*, action filed November 24, 1753. Ibid, vol. 1B (March 1754-June 1756), p. 7.
- <sup>8</sup> Little's assignment of his share of the business to Gunter is set out in the plaintiff's pleading in *Gunter v. Bushel*, NSARM, MG 100 vol. 176 #13.
- <sup>9</sup> See NSARM, RG 37 vol. 1B, pp. 2, 83.
- <sup>10</sup> This account of Little's downfall is based on John Doull, "The First Five Attorney-Generals of Nova Scotia," *Nova Scotia Historical Society Collections*, vol. 26 (1945), 35-6; Doull, *Sketches of Attorney Generals of Nova Scotia, 1750-1926* (Halifax: Unpublished typescript, 1964), 1-3; Bumsted, "Otis Little," *DCB*. His defence of Hoffman and the suspected smugglers is noted in James Muir and Jim Phillips, "Michaelmas Term 1754: The Supreme Court's First Session," in Philip Girard, Phillips and Barry Cahill, eds., *The Supreme Court of Nova Scotia 1754-2004: From Imperial Bastion to Provincial Oracle* (Toronto: University of Toronto Press, 2004), 272. Little was still in Halifax in November 1754, when the smugglers' trial was held, and must have left for the West Indies soon afterwards. The biographies cited above record that he died there, or en route, sometime in 1754.
- <sup>11</sup> *Little v. Bushell*, NSARM, RG 37 vol. 1B (March 1754-June 1756), p. 7
- <sup>12</sup> *William Piggott v. John Bushell*, action filed February 3, 1754. NSARM, RG 37 vol. 1B p. 14.
- <sup>13</sup> Inferior Court of Common Pleas judgment in *Richard Upham v. John Bushell*, November 12, 1754. NSARM, MG 100 vol. 115 #6.
- <sup>14</sup> Ibid.
- <sup>15</sup> Deed. William Foye (provost marshal) to Upham, April 24, 1755, NSARM, RG 47 book 2 page 416 #49, microfilm reel 17867.
- <sup>16</sup> In early Halifax the threat of imprisonment for debt was not a hollow one. A July 1752 census recorded nineteen debtors in jail. T.B. Akins, ed., *Selections from the Public Documents of the Province of Nova Scotia* (Halifax: Charles Annand, 1869), 666.

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<sup>17</sup> Stephen J.A. Ward, *The Invention of Journalism Ethics: The Path to Objectivity and Beyond* (Montreal and Kingston: McGill-Queen's University Press, 2004), 94.

<sup>18</sup> Bushell may have announced the subscription price in the April 7, 1754 issue, which is not extant. The notice appears at the bottom of page 2 of all issues after April 14, 1754.

<sup>19</sup> Frank Luther Mott, *American Journalism: A History of Newspapers in the United States Through 250 Years, 1690 to 1940* (New York: The Macmillan Co., 1947), 12.

<sup>20</sup> *Gazette*, August 23, 1755. The only issue Bushell published after that date that is still extant, the December 9, 1758 edition, does not indicate the subscription rate.

<sup>21</sup> Thomas, 596.

<sup>22</sup> D.C. Harvey, "The Intellectual Awakening of Nova Scotia," in G.A. Rawlyk, ed., *Historical Essays on the Atlantic Provinces* (Toronto: McClelland & Stewart, 1967), 107-8, 112. The breakdown was 172 Halifax subscribers, seventy-one in rural Nova Scotia and twenty-four in the other Maritime Provinces.

<sup>23</sup> There were physical limitations on how many copies Bushell could produce. Printing was time-consuming and physically demanding. It would have taken Bushell up to eight hours to set two pages of type for each issue, but his daughter Elizabeth is known to have helped with this task. The press itself had changed little in the three centuries since Gutenberg perfected moveable type; a large wooden frame supported a metal screw with a heavy bock, known as a platen, suspended from its base. The printing process consisted of several steps that were repeated for each impression. The type, locked in a rectangular form, was placed face-up on the bed of the press. Leather-covered balls dipped in black ink were dabbed on the type to coat it. A page of moistened paper was aligned in a frame above the type, then the printer slipped the type-form and paper under the platen. Pulling a long lever squeezed the platen onto the type and transferred ink to paper. Next, the platen was raised, the paper was removed and hung up to dry and the process was repeated for the next copy. In all, nine separate physical acts were required to complete each impression. Once Bushell had run off the copies he needed, would have he installed type for the second page and repeated the process, until each page was printed on both sides. Two experienced printers, working in rhythm, could produce up to 240 impressions per hour. It would have been impossible for Bushell, who appears to have worked alone until September 1759, to have matched that rate. See Jeffrey L. Pasley, "*The Tyranny of Printers*": *Newspaper Politics in the Early American Republic*. (Charlottesville and London: University Press of Virginia, 2001), 25-6; Anthony Smith: *The Newspaper: An International History* (London: Thames and Hudson, 1979), 20-3; and Allen Hutt, *The Changing Newspaper: Typographic Trends in Britain and America, 1622-1972* (London: Gordon Fraser, 1973), 19. For an illustration showing the components of the screw press in use in the eighteenth century, see *Canadian Book of Printing: How Printing Came to Canada and the Story of the Graphic Arts, Told Mainly in Pictures* (Toronto: Toronto Public Libraries, 1940), 88-9.

<sup>24</sup> A Pennsylvania manufacturer built the first press in America in 1750 and the first type foundry in the colonies opened in 1772. Alfred McClung Lee, *The Daily Newspaper in America: The Evolution of a Social Instrument* (New York: Octagon Books, 1973), 21, 24.

<sup>25</sup> Lee, 22. Nova Scotia's first mill was erected by Anthony Holland, publisher of the *Acadian Recorder*, on the shores of Bedford basin, near Halifax. Akins, "History of Halifax City," *Nova Scotia Historical Society Collections*, vol. 8 (1892-94), 189.

<sup>26</sup> See advertisements in the *Gazette*, April 27, August 3, 1754.

<sup>27</sup> William Smith, "The Early Post Office in Nova Scotia, 1755-1867," *Collections of the Nova Scotia Historical Society*, vol. 19 (1918), 54-5.

<sup>28</sup> Journal entry for September 25, 1752, quoted in Ronald Rompkey, ed., *Expeditions of Honour: The Journal of John Salusbury in Halifax, Nova Scotia, 1749-53* (Newark: University of Delaware Press, 1982), 126.

<sup>29</sup> Letter, John Salusbury to Hetty Salusbury, August 12, 1752, reproduced in *ibid*, 149.

<sup>30</sup> Horace A. Flemming, "Halifax Currency," *Nova Scotia Historical Society Collections*, vol. 20 (1921), 111.

<sup>31</sup> J.S. Martell, "The Press of the Maritime Provinces in the 1830s." *Canadian Historical Review*, vol. 19 no. 1 (March 1938), 27.

<sup>32</sup> *Cornwall Observer*, December 18, 1835, cited in Robert M. Hamilton, comp., *Canadian Quotations and Phrases: Literary and Historical* (Toronto: McClelland & Stewart, 1965), 148.

<sup>33</sup> Frederic Hudson, *Journalism in the United States From 1690 to 1872* (New York: Harper & Brothers, 1873), 54.

<sup>34</sup> *Gazette*, April 13, August 29, 1752

<sup>35</sup> See, for instance, *ibid*, May 9, September 16, 1752, February 15, 1755.

<sup>36</sup> *Ibid*, October 27, November 10, 1753.

<sup>37</sup> "An Act declaring what shall be deemed a Publication of the Province Laws," 1758, 32 Geo. II c.22. *The Perpetual Acts of the General Assemblies of his Majesty's Province of Nova Scotia*. (Halifax: Robert Fletcher, 1767), 57.

<sup>38</sup> "An Act declaring what shall be deemed a Publication of the Province Laws," 1758, 32 Geo. II c.19 (as amended in 1771 by 11 Geo III c. 2). *The Perpetual Acts of the General Assemblies of his Majesty's Province of Nova Scotia. As revised in the year 1783*. (Halifax: Anthony Henry, 1784), 63.

<sup>39</sup> Charles Lawrence to Col. Sutherland, September 19, 1754. NSARM. RG 1, vol. 134, 236-9.

<sup>40</sup> Lawrence to Capt. Alexander Murray, May 27, 1755. RG 1 vol. 134, 357. Cornwallis alluded to the practice of using the deputies to "publish decrees" of the government soon after the founding of Halifax. See council minutes, May 25, 1750 in Akins, *Selections*, 191.

<sup>41</sup> Beamish Murdoch, *A History of Nova Scotia, or Acadie*, vol. 2 (Halifax: James Barnes, 1865), 413.

<sup>42</sup> The following analysis of Bushell's government and commercial printing, where the source is not otherwise indicated, is drawn from Marie Tremaine, *A Bibliography of Canadian Imprints 1751-1800* (Toronto: University of Toronto Press, 1952), 3-15; and Patricia Lockhart Fleming and Sandra Alston, *Early Canadian Printing: A Supplement to Marie Tremaine's A Bibliography of Canadian Imprints 1751-1800* (Toronto: University of Toronto Press, 1999), 1-13.

<sup>43</sup> *Gazette*, January 5, 12, 1754; Tremaine, 6.

<sup>44</sup> Minutes of the Nova Scotia Council, NSARM, RG 1, vol. 186 (1749-53), meeting of August 31, 1752, 211.

<sup>45</sup> Under a local law, creditors could not collect on debts a settler incurred before arriving in Nova Scotia. John Salusbury thought the law misguided, saying it "makes this place a Kind of an Asylum for All Vagabonds in screening them from all prior debts to their arrival Here." Entry for January 10, 1753 in Rompkey, *Expeditions of Honour*, 130.



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- <sup>46</sup> “Civil Officers, 1753,” *Parliamentary Estimates (Nova Scotia) 1751-1834*. NSARM, RG 1 vol. 344.
- <sup>47</sup> See “A State of the Provincial Treasurers Accounts from the Commencement of the General Assembly in October 1758 to the 14<sup>th</sup> day of February 1768.” NSARM, RG 31-101 vol. 31 folios 2, 9, 16, 19. It is not clear whether these payments were for government printing alone or included fees for publishing government proclamations and advertisements in the *Gazette*.
- <sup>48</sup> The first ad appeared in the October 27, 1753 edition.
- <sup>49</sup> Tremaine, 6, 10. Bushell inserted an advertisement in the *Gazette*’s August 4, 1753 issue offering the militia act for sale.
- <sup>50</sup> Elizabeth Christine Cook, *Literary Influences in Colonial Newspapers, 1704-1750* (New York: Columbia University Press, 1912), 108.
- <sup>51</sup> J.J. Stewart, “Early Journalism in Nova Scotia,” *Nova Scotia Historical Society Collections*, vol. 6 (1888), 100; Fauteux, *Introduction of Printing*, 5-6.; Haworth, *Imprint of a Nation*, 33. Bushell was still being depicted as a drunkard in articles published in 2002 to mark the 250<sup>th</sup> anniversary of the publication of the *Halifax Gazette*. See Ray Conlogue, “All the news of 1752,” *The Globe and Mail*, March 4, 2002, R1, R5; Stephen Kimber, “Canadian Newspapers Celebrate 250 Years,” *National Library of Canada Bulletin*, vol. 34, no. 2 (March-April 2002), 4-5.
- <sup>52</sup> *William Piggott v. John Bushell*, action filed February 3, 1754. NSARM, RG 37 vol. 1B p. 14.
- <sup>53</sup> Jeffrey L. Pasley, “*The Tyranny of Printers*”: *Newspaper Politics in the Early American Republic* (Charlottesville and London: University Press of Virginia, 2001), 26-7
- <sup>54</sup> “My Companion at the Press,” Franklin recalled, “drank every day a Pint before Breakfast, a Pint at Breakfast with his Bread and Cheese; a Pint between Breakfast and Dinner; a Pint at Dinner; a Pint in the Afternoon about Six o’clock, and another when he had done his Day’s Work. I thought it a detestable Custom.” J.A. Leo Lemay and P. M. Zall, eds. *Benjamin Franklin’s Autobiography: An Authoritative Text, Backgrounds, Criticism* (New York: W.W. Norton, 1986), 36.
- <sup>55</sup> *Ibid.*
- <sup>56</sup> Thomas, 591.
- <sup>57</sup> See NSARM, RG 37 vol. 1B pp. 14, 31, 44, 58, 66, 117, 125, 129, 150, 153, 170, 181, 194, 207; RG 37 vol. 2 #63, #74; RG 37 vol. 3 (1756-57), #2.
- <sup>58</sup> *Joseph Gerrish v. John Bushell*, Inferior Court of Common Pleas action dated April 27, 1757. NSARM, RG 37 vol. 4 (1757) #38. The case records show Gerrish, a Halifax merchant, filed the suit on Gunter’s behalf. A receipt in the file confirms the sum of £16 16s was paid.
- <sup>59</sup> Thomas, 591.
- <sup>60</sup> While not all issues of the *Gazette* have survived, Bushell consecutively numbered each edition. The last surviving issue published under his tenure, December 9, 1758, is No. 343, which approximates the total number of weeks between that date and the paper’s debut on March 23, 1752. J.J. Stewart wrote that T.B. Akins possessed a copy of No. 425 of the *Gazette*, dated Nov. 1, 1760, offering further evidence that the paper was printed almost every week. It appears, however, that Bushell did suspend publication for a three-week period in 1754. Issue No. 111 is dated May 11, 1754 and No. 112 appeared on June 8, 1754, suggesting the paper was not published for three consecutive Saturdays, May 18, 25 and June 1, 1754. Isaiah Thomas, writing in 1810, claimed publication of the *Gazette* “was for a long time

suspended” after “a trial of some months.” And when the paper was revived, according to Thomas, it was “not issued at regular periods till about the autumn of 1760.” P.L. Simmonds repeated this assertion in 1841, but Thomas was in error. Stewart concluded “the paper was published as regularly between 1752 and 1760 as we know it to have been ever since.” See Thomas, 595; Simmonds, “Statistics of Newspapers in Various Countries,” *Journal of the Statistical Society of London*, vol. 4 no 2 (July 1841), 124; Stewart, “Early Journalism,” 94.

Akins’s copy of the November 1, 1760 *Gazette* does not appear to have survived; it is not among the published materials catalogued in the Akins collection at NSARM. See Shelia I. Stewart, comp., *A Catalogue of The Akins Collection of Books and Pamphlets* (Halifax: Imperial Publishing Co., 1933).

<sup>61</sup> Thomas, 592.

<sup>62</sup> Ibid. A compositor “composed” individual letters of type into words and sentences. Thomas also described Elizabeth Bushell as “handsome, but unfortunate” but he did not elaborate.

<sup>63</sup> Ibid, 593. Other biographical information on Henry is drawn from Douglas G. Lochhead, “Anthony Henry,” *Dictionary of Canadian Biography*, available on the Internet at <http://www.biographi.ca>.

<sup>64</sup> See the list of “Civil Officers, 1753,” Parliamentary Estimates (Nova Scotia) 1751-1834. NSARM, RG 1 vol. 344. A 1758 proclamation decreed that soldiers stationed in Halifax and working in the community should be paid eighteen pence per day for those who were “artificers,” while labourers should earn six pence a day. Murdoch, vol. 2, 355.

<sup>65</sup> According to the account Henry submitted in a suit for non-payment of wages. See *Anthony Henry v. John Bushell*, action filed February 19, 1760 in the Inferior Court of Common Pleas. NSARM, RG 37 vol. 8 (1760) #7. The account included an unpaid balance of £1 1s. 8d. as of September 1, 1759, representing about eight days’ work completed before that date. Henry appears to have been supplying food to Bushell as well; the account includes three entries for “mutton Pye,” at the rate of eight pence each.

<sup>66</sup> These transactions between Bushell and the assembly and council are drawn from Tremaine, 10-1; Fleming and Alston, 10-1; and Murdoch, vol. 2, 360.

<sup>67</sup> Council resolution of December 11, 1759, cited in Murdoch, vol. 2, 379.

<sup>68</sup> Ibid, 406.

<sup>69</sup> Gunter may have been seeking an additional £100 he claimed Bushell had forfeited by breaching the contract; the wording of the lawsuit is ambiguous on this point. *Thomas Gunter v. John Bushell*, NSARM, MG 100 vol. 176 #13.

<sup>70</sup> Deed, Joseph Ford to Bushell, May 31, 1759, NSARM, RG 47 book 4 pages 80-1 #200, microfilm reel 17868.

<sup>71</sup> *Henry v. Bushell*. NSARM, RG 37 vol. 8 #7.

<sup>72</sup> Stewart states the partnership was formed on September 23, 1760, but the source of this information is not cited. Stewart, “Early Journalism,” 100.

<sup>73</sup> Deed, Upham to Bushell, December 9, 1760. NSARM, RG 47 book 5 page 81 #119, microfilm reel 17868.

<sup>74</sup> Deed, Bushell to Patrick Sinnett, December 9, 1760. Ibid, book 5 page 82 #120, microfilm reel 17868.

<sup>75</sup> St. Paul’s Anglican Church, Index to Burial Records, NSARM. Bushell was buried on January 22, 1761.

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<sup>76</sup> Lois Kernaghan, "William Nesbitt," *DCB*.

<sup>77</sup> Halifax County Estate Papers, 1750-1841. NSARM, RG 48 vol. 398 B195.

<sup>78</sup> Nesbitt filed the 1759 claim for unpaid profits on Gunter's behalf. See *Gunter v. Bushell*, *Ibid*, MG 100 vol. 176 #13.

<sup>79</sup> On July 13, 1761 the assembly voted that £88 11s 6d and £12 5s 6d "be paid to Mr. John Bushel, the printer, – bills from 2 January, 1758, to 16 May, 1760." Murdoch, vol. 2, 406.

<sup>80</sup> Lochhead, "Anthony Henry," *DCB*; Tremaine, 15-6; Fleming and Alston, 14. The earliest surviving issue of the *Gazette* under Henry's ownership appeared on May 14, 1761.

<sup>81</sup> Thomas, 592.

<sup>82</sup> Despite Elizabeth Bushell's typesetting abilities, and the fact other women ran newspapers in the colonial era, she does not appear to have been considered a possible successor to her father. Anna Catherine Zenger edited the *New York Weekly-Journal* for eight months while husband was in jail, awaiting trial in 1735 for libel, and ran the paper for more than two years after his death in 1746. Elizabeth Timothy published the *South Carolina Gazette* after her husband, Lewis, died in 1738. Stephens, 171.

<sup>83</sup> Deed, Elizabeth Bushell to Henry, October 19, 1764, NSARM, RG 47, book 6 page 295 #98, microfilm reel 17869. A biographer states that Bushell's daughter "is supposed to have remained in Halifax for some time after his death." See Chard, "John Bushell," *DCB*. The deed confirms she was not the Elizabeth Bushell who died in Halifax in March 1760. St. Paul's Anglican Church, Index to Burial Records, NSARM, microfilm reel 11553.

<sup>84</sup> Brebner, *Neutral Yankees*, 35.

<sup>85</sup> Deed, John Bushell to Henry, September 9, 1767, NSARM, RG 47, book 8 page 308 #173, microfilm reel 17870. The deed refers to "John Bushell of Halifax in Nova Scotia, Printer" – the very words once used to describe his father.

## Chapter 5

### **“The mildest and happiest government upon Earth”: The Political Climate of 1750s Nova Scotia**

Nova Scotians were “a free, but not a licentious people,” Col. Charles Lawrence opined in 1753, fortunate to be “living under the mildest and happiest government upon Earth.” Most of all, noted Lawrence, who served as the colony’s top administrator from late that year until his death in 1760, they should remember their place. They should be frugal, care for their families, and make their livelihoods through “honesty and Industry,” he wrote in a letter to a fellow soldier, “leaving political matters to the management of those whose business it is to promote their Welfare and Interest.”<sup>1</sup> It was little wonder Nova Scotia had a reputation in the 1750s as “a stronghold of tyrannical military government.”<sup>2</sup> The government was infallible and the men charged with its administration would not tolerate dissent. This political landscape was conducive to neither dissent nor independent journalism, which must be borne in mind when assessing news and opinions published in the *Gazette*. “The press,” the authors of a leading study of the media’s theoretical underpinnings have observed, “always takes on the form and coloration of the social and political structures within which it operates.”<sup>3</sup>

For most of the decade Nova Scotia was ruled by an appointed governor, who in turn selected a cadre of advisors to serve on his council. Together they wielded all executive and law-making authority. Only the British government could overturn the governor and council’s orders and decisions. “A civil government had been proclaimed,” historian W.S. MacNutt noted, “but, in effect, Nova Scotia was under military rule.”<sup>4</sup> The governors who held office between 1749 and 1760 – Edward Cornwallis, Peregrine

Hopson and Lawrence – were military officers. Political connections in Britain, rather than military prowess or the ability to govern, were the prerequisite for office.

These were men accustomed to issuing orders and having those orders obeyed without question. When Acadian deputies balked at taking an oath of allegiance to the British sovereign soon after the founding of Halifax, Cornwallis bluntly told them they had no right to negotiate with the government; it was not a matter of “reasoning,” he said, but of “commanding and being obeyed.”<sup>5</sup> Hopson’s approach was more conciliatory; in 1753 he publicly appealed for “harmony and mutual affection among the Inhabitants,” which was “so highly necessary to the Publick Tranquility” at a time when the settlement was “surrounded by Enemies on every Side.”<sup>6</sup> Lawrence, who succeeded Hopson that year, was authoritarian to the core, “a soldier accustomed to deal summarily with the complaints of a civil population,” in the words of one historian.<sup>7</sup> “The soldier in him,” John Bartlet Brebner agreed, “had no use for democratic institutions.”<sup>8</sup> Such attitudes were not restricted to military men. Nova Scotia’s first chief justice, London-trained lawyer Jonathan Belcher, exhorted colonists to be satisfied with their “respective Spheres in Society” in his first grand jury address after taking office in October 1754. Belcher used the speech to demand respect for the law and loyalty to the government:

No considerate Person will suffer himself to conceive, that any loyal Subject of His Majesty residing in this Province ... can be so weak and infatuated, as to disturb and interrupt our Peace and happiness, by introducing distinction and Parties against the Government of this Province .... If this spirit should ever arise in this Province ... we may boldly conclude that as such persons are not with us they are against us, and Enemies to our Peace and Order.<sup>9</sup>

Little wonder that contemporary observers in New England regarded Nova Scotia as a colony “enslaved by a despotic system,” home to “a corrupt and arbitrary government” and “clearly not a land of liberty.”<sup>10</sup>

The governor selected his councillors from among the senior military officers stationed in Nova Scotia and the colony’s leading merchants. Cornwallis was instructed to appoint “fitting and discreet persons”<sup>11</sup> for his council and his successor, Hopson, was told to choose men “of good life and well affected to His Majesty’s Government and of good estates and ability and not necessitious Persons.”<sup>12</sup> The first council, constituted in 1749, consisted of three soldiers, a former New England merchant, and two men who had accompanied Cornwallis from England.<sup>13</sup> By the time of Lawrence’s death in 1760 the military influence had waned and, in its place was a council made up of officeholders. The chief justice, Jonathan Belcher, governed on an interim basis with a council that included the provincial treasurer, the surveyor general, the commissary, the provincial secretary and the keeper of the naval stores.<sup>14</sup>

London’s directive to the governor to select like-minded men to serve on the council ensured there would be little, if any, discord within the administration. The governor’s “free hand” in selecting councilors, J. Murray Beck has noted, “produced a growing community of feeling between him and them” and “a natural identity of interest.” The governor’s power to appoint officials, issue grants of land and dispense supply contracts became a tool to win support for the administration. “Those who seconded the Governor’s views upon government,” Beck wrote, “were invariably singled out for advancement.”<sup>15</sup> Cornwallis, Hopson and Lawrence, in Brebner’s view, “regarded the official, salaried positions in the administration as personal patronage, which they

dispensed to their friends, usually military men, or to those who by birth or station came nearest to the soldier's idea of proper members of the governing class."<sup>16</sup> A contemporary observer likened the dispensing of patronage to the scramble that ensues when someone tosses coins into a crowd. "The sole factor that determined political loyalties," MacNutt concluded, "was the distribution of public monies by the governor and his council."<sup>17</sup>

It was a government built on patronage and cronyism, later criticized for creating a "small knot of functionaries who form the Councils, fill the offices, and wield the powers of the government."<sup>18</sup>

The colony's justice system was closely allied with the government and reinforced its authority. Indeed, the lines between executive and judicial functions were blurred to the point of non-existence. When Halifax was founded in 1749, the governor was granted full authority to appoint judges and justices of the peace and to create civil and criminal courts as required.<sup>19</sup> The governor and council convened as a General Court to hear criminal cases, as had been the practice at the former capital of Annapolis Royal since 1721.<sup>20</sup> A lower court staffed with justices who lacked formal legal training, the Inferior Court of Common Pleas, tried minor civil matters. Appeals from the lower court went to the governor in council, making the General Court – a body that also lacked legal expertise – the court of last resort in all cases. A more formal system was instituted in 1754 when Jonathan Belcher, a Harvard-trained lawyer, was sworn in as the colony's first chief justice and the lone judge on a new Supreme Court. But the justice system remained an extension of the governing clique, with the chief justice acting as the governor's legal advisor and taking a seat at the council table.<sup>21</sup>

The administration would not tolerate dissent or acts of defiance. A run-in

between the Royal Navy and suspected smugglers became a showdown between the government and those bent on undermining its authority. The New England ship *Nancy and Sally* was intercepted in the Bay of Fundy on suspicion of trading illegally with the French at Fort Beauséjour. As a boarding party approached, someone on the *Nancy and Sally* opened fire, killing two British sailors. The crewmen pleaded self-defence at their November 1754 trial for murder, “a politically charged affair” convened just as Lawrence’s government imposed new regulations to stamp out trade with neighbouring French colonies.<sup>22</sup> Belcher, the presiding judge, was outraged when a jury convicted them of the lesser offence of manslaughter. The crewmen were guilty of “treachery to your sovereign,” he declared, and could have been prosecuted for treason, as they were guilty of supporting those bent on “the destruction of the province.”<sup>23</sup>

The authorities had taken a similar hard-line approach in response to what became known as the “Hoffman Rebellion.”<sup>24</sup> About 1,500 Foreign Protestants were transferred from Halifax to Lunenburg in the summer of 1753 to settle long-promised land grants. The operation went smoothly until November, when rumours began circulating that goods earmarked for the settlement had been diverted to Halifax. An armed mob seized and tortured John Petrequin, a local official believed to possess a letter confirming a plot to deprive the settlers of supplies. Local troops exchanged gunfire with the rioters, leaving two settlers wounded. Lieutenant-Colonel Robert Monckton and two hundred soldiers were dispatched from Halifax in a show of force that ended the week-long uprising. The alleged ringleader, John William Hoffman, was charged with “High Crimes, Misdemeanours and Breach of the Peace,” convicted of a lesser offence and imprisoned for two years.



Nova Scotia's government structure in the 1750s was authoritarian, affording the public no role in shaping or disputing public policy. "Truth," in the authoritarian model, "was conceived to be, not the product of the great mass of people, but of a few wise men who were in a position to guide and direct their fellows."<sup>25</sup> Public affairs, as Lawrence put it, were best left "to the management of those whose business it is to promote their Welfare and Interest." Under an authoritarian regime, the role of press was to "support and advance the policies of the government in power so that this government can achieve its objectives."<sup>26</sup> Information about government decisions and policies were dispensed on a "need-to-know basis," with the announcement only of those "requiring general public compliance or support."<sup>27</sup> The press acted as "a servant of the state," disseminating the official line without comment or embellishment.<sup>28</sup> Dissent was not tolerated, in the press or elsewhere, the theory being that any criticism of the government – even when done in a respectful and constructive manner – would undermine its authority and legitimacy.<sup>29</sup>

Most public business was conducted in private, hindering Bushell's ability to report on government business or decisions that were not formally announced. Council meetings were held in camera and councilors swore an oath promising to keep their deliberations secret.<sup>30</sup> Even some council members were kept out of the loop; John Salusbury frequently complained of being kept in the dark about government affairs.<sup>31</sup> But secrets were hard to keep in a community of a few thousand people living at close quarters. Salusbury was able to find out what was going on behind his back, "tho' not thro' the proper Channel."<sup>32</sup> Some government secrets may have become known through inadvertence; an advertisement placed in the *Gazette* in April 1752 pleaded for the return of a misplaced black leather case "containing some of the Governour's Notes and sundry

other Papers.”<sup>33</sup> A major source of gossip about government affairs was Archibald Hinchelwood, an assistant in the provincial secretary’s office. Drafting official correspondence made him privy to most of the province’s political and military matters. T.B. Akins, who reviewed Nova Scotia’s early records in the mid-1800s for his history of Halifax, claimed that most of the letters Nova Scotia’s governors sent to England in the 1750s were in Hinchelwood’s handwriting.<sup>34</sup> Salusbury, who considered Hinchelwood an “Imprudent sorry fellow,” described him as notorious for “Pryeing into Every Affair” and “Known to tell about town Every transaction in the office.”<sup>35</sup>

Bushell, like Salusbury, could find out what was happening behind closed doors if he were so inclined, and some items he published suggest he had access to official information. In November 1752 the *Gazette* revealed that the chief of the Shubenacadie Mi’kmaq had agreed to a peace treaty – just three days after the deal was reached and weeks before the government instructed Bushell to publish a related proclamation.<sup>36</sup> In December 1752 Bushell revealed plans to build a prison to house those convicted of “Petty Larcenies, and other Evils that daily happen through the Idleness of several Persons of both Sexes, who refuse to labour at their proper Callings for reasonable Prices.” He was “likewise informed” that “the Delinquents are to be employed on such Sort of hard labour as may be most beneficial to the Colony.”<sup>37</sup> He learned that His Majesty’s sloop *Wasp* was to be stationed in Halifax, and that Col. Charles Lawrence would be in command in the absence of Governor Peregrine Hopson, who sailed for England in the fall of 1753.<sup>38</sup> And he assured readers he was “credibly inform’d” that twenty Halifax gentlemen had petitioned the council for land grants to found a settlement east of Halifax.<sup>39</sup>

Defamation laws restricted what Bushell could print about those in power and, if a prosecution were launched, the government-dominated justice system was likely to be less sympathetic than juries in Britain and America. The common law offences of seditious libel and spreading false news were in force in Nova Scotia after 1749.<sup>40</sup> In February 1750/1 the General Court convicted Stephen Adams and Thomas Keys of “having reported false news to the prejudice of this Settlement” and “scandalous Lies” about Governor Cornwallis. Council minutes do not record what they said about Halifax and the governor, but their punishment was twenty lashes.<sup>41</sup> The first batch of statutes passed by the legislature in 1758 made it an offence to make or publish “any Lye, Libel, or scandalous Report, tending to the Defamation or Damage of any Person.” It was also an offence to “invent or spread any false News ... with Intent to abuse and deceive others.” Offenders faced a fine of up to £5 and were bound by a recognizance to guarantee their good behavior. Failure to pay the fine could bring an order to sell the offenders’ assets and either a month in jail, three hours in the stocks or a whipping.<sup>42</sup> An aggrieved party could also take civil action to recover damages from the person who made a defamatory statement.<sup>43</sup>

Despite the government’s demands for loyalty and intolerance of criticism, the colony seethed with discord and dissent. When John Salusbury returned to the settlement in the summer of 1752 for a second stint in the land office, he noted how residents were “forming foolish little divisions among themselves.”<sup>44</sup> The split was between Old and New England – the British officeholders sent to govern Nova Scotia and New England merchants “attracted to the new colony by the lavish expenditure of public money.”<sup>45</sup> Birthplace coloured all aspects of public affairs, from determining who received

government appointments and supply contracts to whether a jury would convict or acquit.<sup>46</sup> The schism within Halifax society dated to the settlement's founding. "[A]most from the beginning," Hopson noted in 1753, "there has been great Jealousy and Animosity between the Settlers that were sent out from England and those who came here from different parts of the Continent of America."<sup>47</sup> It was, perhaps, a reflection of deeper distinctions between the long-settled and increasingly autonomous American colonies and territories conquered or settled in the eighteenth century, such as Nova Scotia, where the home government was the driving force behind the colony's establishment and administration.<sup>48</sup> A "merchants' party" emerged, led by Joshua Mauger, a well-connected and powerful Jersey-born trader. The "acquisitive and unscrupulous"<sup>49</sup> Mauger had vast landholdings, supplied stores to the navy, operated a profitable rum distillery in Halifax and traded illegally with the French at Louisbourg. He was a constant thorn in the administration's side – "at the Head of all Petitions" as Salusbury put it<sup>50</sup> – and was said to have more influence in London than the governor himself.<sup>51</sup> Lawrence harboured a deep distrust of the merchants and considered them opportunists who put their personal interests ahead of those of the colony.<sup>52</sup> His administration's shortcomings and the merchants' discontent, however, were obvious even to a casual observer. In 1757 a newly arrived British officer noted "great difficiencies" in the colony's management: "matters are badly regulated" and "there are great neglects or abuses ... great hardships [are] imposed upon people, who brought things to serve the army, from other parts of the Continent."<sup>53</sup>

A sore point for the merchants – and the focus of their challenge to the government's authority – was the lack of an elected assembly. The transplanted New

Englanders were accustomed to wielding political power and influencing government policy. Merchants and shipowners accounted for a majority of Boston's selectmen and more than half of the city's representatives in the legislature; a merchant served as speaker of the General Court for all but five of the twenty years between 1740 and 1760.<sup>54</sup> As for Nova Scotia, British officials had intended the governor and council to share power with an elected assembly after France ceded the colony in 1713. The lack of British citizens on the ground, however, made elections impracticable before the founding of Halifax.<sup>55</sup> Advertisements placed in the *London Gazette* in 1749 promised the new wave of settlers "a civil government ... whereby they will enjoy all the liberties, privileges and immunities enjoyed by His Majesty's subjects in any other of the Colonies and Plantations in America under His Majesty's government."<sup>56</sup> And the commission issued to Cornwallis that year instructed the governor "to summon and call General Assemblys of the Freeholders and Planters within your Government according to the usage of the rest of our Colonies & plantations in America." Together, the assembly and council were to enact "Reasonable Laws and Statutes ... for the Publick peace, welfare and good government." Such laws were to be "as near as may be agreeable to the Laws and Statutes of this our Kingdom of Great Britain," with the home government reserving the right to disallow laws considered "repugnant." As well, the governor could veto any law the assembly passed that did not conform to British practice.<sup>57</sup> From the beginning, representative government was seen as crucial to the colony's growth and development; Cornwallis predicted in July 1749 that Nova Scotia would flourish "if a proper Government be once established."<sup>58</sup>

Delays in founding settlements outside Halifax, hostilities with the natives and the

threat of a French attack combined to put the idea on the backburner. It was not revived for six years, when the British government's legal advisors concluded in 1755 that the governor and council could only enact laws with the concurrence of an elected assembly.<sup>59</sup> With the government's legitimacy in doubt, the Lords of Trade and Plantations ordered Lawrence and his chief justice, Belcher, to take immediate steps to elect and convene an assembly to ratify existing laws.<sup>60</sup> Lawrence, however, balked at the request, touching off what Brebner termed a three-year "long-distance duel" with his superiors over when and how to establish an assembly.<sup>61</sup> The timing, Lawrence argued, was poor. War was expected with France and the colony's precarious finances left no money to cover the additional expense. Lawrence insisted his power to legislate "has hitherto passed unquestioned in this Colony"<sup>62</sup> and most laws had been enacted at the behest of his critics, the merchants, "for the good regulation of the Town of Halifax and the encouragement of its commerce."<sup>63</sup> Lawrence saw no value in even the most basic of democratic institutions. "I know nothing so likely to obstruct and disconcert all measures for the publick Good," he wrote, "as the foolish squabbles that are attendant upon Elections and the impertinent opinions that will be propagated afterwards amongst the multitude by Persons qualified in their own imaginations only as able Politicians."<sup>64</sup> His main objection was the prospect of sharing power with Halifax's merchants – men "not so nearly concerned in [the colony's] welfare" – who would dominate any assembly convened before outlying areas were settled.<sup>65</sup>

Lawrence's protests fell on deaf ears in London. The Lords of Trade cautioned Lawrence that his regime's lack of law-making authority "should not be made public" until an assembly convened to ratify existing laws,<sup>66</sup> but the governor's opponents appear

to have learned of the impasse,<sup>67</sup> perhaps through the indiscreet Hinchelwood. Halifax residents opposed to his regime petitioned the British government in early 1756 demanding an assembly, creating a renewed sense of urgency. The “want of a proper authority” to make laws, the Lords of Trade insisted, was “an Inconvenience and Evil” that outweighed Lawrence’s concerns about calling an assembly. “[U]ntil it is done, this Infant Colony cannot be truly said to be upon a permanent and lasting Establishment.”<sup>68</sup> Lawrence refused to back down and dismissed the petition as the work of “malevolent and ill designing men”:

I can with great truth assure your Lordships that I know not of one instance wherein his Majesty’s subjects in Nova Scotia have been in the least molested in the enjoyment of their rights and liberties to the full extent, under the present form of Government and that since I have had the honor to be entrusted with the management of the Province affairs, I have done my utmost endeavours to give satisfaction to every person in it.

He again pleaded for more time. Britain and France were now at war and electing an assembly “would serve only to create heats, animosities and disunions amongst the people at a time when the enemy is as I may say at our doors, and when the whole should join together as one man for their mutual safety and defence.”<sup>69</sup>

Lawrence did not share London’s concerns with his council for more than a year. At the end of 1756 the council finally approved plans for a twenty-two seat assembly.<sup>70</sup> British officials continued to demand action, insisting that an assembly was “absolutely necessary for the Peace, Welfare and Credit of the Colony, being one of the fundamental Principles upon which it was first established.”<sup>71</sup> Preparations for the siege of Louisbourg

kept Lawrence away from Halifax for much of 1757, however, and no progress was made.<sup>72</sup> He finally wrote to the Lords of Trade that November pleading for more time and denying there was widespread support for an assembly:

those who have urged it, have done so, to inflame the minds of the people, who they have much deceived and misled to deprive me of their confidence and regard, and in short to embarrass the affairs of Government, without any other views than those of private advantage, and from no other motives than those of resentment for disappointments in places and employments with which it was not in my power to gratify them.<sup>73</sup>

The Lords of Trade ignored his pleas and demanded “immediate execution” of a revised plan to elect most members for the province “at large” until new townships were established.<sup>74</sup> Elections were finally held in the fall of 1758; most of those elected were Halifax merchants, almost all were originally from New England and half had signed petitions demanding an assembly.<sup>75</sup> Lawrence was apprehensive, noting that “too many of the Members chosen are such as have not been the most remarkable for promotion of unity or obedience to His Majesty’s Government here, or indeed that have the most natural attachment to the Province.”<sup>76</sup> The assembly convened a week later and, Lawrence was relieved to report, “with less altercation than (from the seeming disposition of the people) I was heretofore apprehensive of.”<sup>77</sup> The assembly passed thirty-six acts in its first session including, at Lawrence’s request, legislation confirming all laws and proclamations previously enacted by the governor and council.<sup>78</sup> But Lawrence and his successors would rarely find the assemblymen so compliant. The council, in the words of political historian J. Murray Beck, now had “a rival in the governance of the colony.” The



assembly provided a forum for political dissent; its members quickly challenged the council's authority, demanded wider powers and privileges, and put forward legislation the council refused to endorse.<sup>79</sup>

As a newspaper publisher in 1750s Halifax, John Bushell operated within a political context that was authoritarian, paternalistic, and intolerant of disobedience and dissent. In an era when political parties vied for power in Britain and the American colonies boasted legislatures with a legacy of defying royal authority, Nova Scotia lacked an official forum for expressing political dissent prior to 1758. Charles Lawrence, the governor for much of the decade, defied his superiors for years as he resisted the transition to representative government. An opposition faction – led by Halifax's merchants and infused with political ideology imported from New England – formed to challenge Lawrence's regime and to demand political reforms. Bushell, a New Englander, presumably was sympathetic to the cause of those bent on breaking the government's monopoly on power. To what extent, then, was the *Halifax Gazette* used as a vehicle to express political opinion and the opposition's agenda? What tools were at the government's disposal to control what appeared in the newspaper? And, most importantly, were these tools an effective check on the potential power of Bushell's press?

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### Endnotes

<sup>1</sup> Col. Charles Lawrence to Col. Robert Monckton, December 30, 1753. Nova Scotia Archives and Records Management, RG 1 vol. 134.

<sup>2</sup> W.S. MacNutt, *The Atlantic Provinces: The Emergence of Colonial Society* (Toronto: McClelland & Stewart, 1965), 56.

<sup>3</sup> Fredrick Seaton Siebert, Theodore Peterson and Wilbur Schramm. *Four Theories of the Press* (Urbana:

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University of Illinois Press, 1956), 1-2.

<sup>4</sup> MacNutt, 56.

<sup>5</sup> Council minutes, September 6, 1749, in T.B. Akins, ed., *Selections from the Public Documents of the Province of Nova Scotia* (Halifax: Charles Annand, 1869), 174-5.

<sup>6</sup> *Gazette*, October 27, 1753.

<sup>7</sup> MacNutt, 57.

<sup>8</sup> John Bartlet Brebner, *New England's Outpost: Acadia before the Conquest of Canada* (New York: Columbia University Press, 1927), 234. Lawrence acknowledged his limitations as administrator of a civil government, reminding his superiors during the debate over calling an assembly "how seldom it has fallen in my way to consider things of this nature." Lawrence to Lords of Trade, December 8, 1755, in Akins, *Selections*, 712.

<sup>9</sup> "Jonathan Belcher: Charge to the Grand Jury, Michaelmas Term, 1754," *Acadiensis: Journal of the History of the Atlantic Region*, vol. 7 no 1 (Autumn 1977), 106. See also James Muir and Jim Phillips, "Michaelmas Term 1754: The Supreme Court's First Session," in Philip Girard, Jim Phillips and Barry Cahill, eds., *The Supreme Court of Nova Scotia 1754-2004: From Imperial Bastion to Provincial Oracle* (Toronto: University of Toronto Press, 2004), 262.

<sup>10</sup> George A. Rawlyk, *Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relations, 1630-1784* (Montreal and London: McGill-Queen's University Press, 1973), 227-8.

<sup>11</sup> Akins, *Selections*, 498.

<sup>12</sup> Council Minutes, August 3, 1752, NSARM, RG 1 vol. 186, p.193, cited in Sandra E. Oxner, "The Evolution of the Lower Court of Nova Scotia," in Peter Waite, Oxner and Thomas Barnes, eds., *Law in a Colonial Society: The Nova Scotia Experience* (Toronto, Carswell, 1984), 60.

<sup>13</sup> Akins, "The First Council," *Nova Scotia Historical Society Collections*, vol. 2 (1881), 17-30

<sup>14</sup> J. Murray Beck, *The Government of Nova Scotia* (Toronto: University of Toronto Press, 1957), 20.

<sup>15</sup> *Ibid*, 35, 38.

<sup>16</sup> Brebner, *The Neutral Yankees of Nova Scotia: A Marginal Colony during the Revolutionary Years* (New York: Columbia University Press, 1937), 13.

<sup>17</sup> MacNutt, 55, which is also the source of the observation about the scramble for government money.

<sup>18</sup> Joseph Howe's assessment of government under the system of governor and council, quoted in Beck, *Government of Nova Scotia*, 36.

<sup>19</sup> See Cornwallis' instructions in Akins, *Selections*, 501.

<sup>20</sup> Thomas G. Barnes, "'The Dayly Cry for Justice': The Juridical Failure of the Annapolis Royal Regime, 1713-1749," in Philip Girard and Jim Phillips, eds., *Essays in the History of Canadian Law, Vol. III: Nova Scotia* (Toronto: University of Toronto Press, 1990), 17. Barnes concluded the council functioned as an effective judicial body prior to 1749; its "failure" was a missed opportunity to use the justice system as a tool of assimilation and make the Acadians more amenable to British rule.

<sup>21</sup> This overview of Nova Scotia's early court system is drawn from Barry Cahill and Jim Phillips, "The

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Supreme Court of Nova Scotia: Origins to Confederation,” in Girard, Phillips and Cahill, eds., *The Supreme Court of Nova Scotia*, 53-139.

<sup>22</sup> James Muir and Jim Phillips, “Michaelmas Term 1754: The Supreme Court’s First Session,” in *ibid*, 270.

<sup>23</sup> Details of the smuggling incident and Belcher’s comments are drawn from *ibid*, 270-6. Belcher further demonstrated his displeasure by imposing the maximum penalty for manslaughter – branding on the thumb, nine months behind bars and, upon release, impressment into the Royal Navy.

<sup>24</sup> The account of this incident that follows is drawn from Winthrop Pickard Bell, *The “Foreign Protestants” and the Settlement of Nova Scotia: The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Toronto: University of Toronto Press, 1961), 450-68, and Barry Cahill, “The ‘Hoffman Rebellion’ (1753) and Hoffman’s Trial (1754): Constructive High Treason and Seditious Conspiracy in Nova Scotia under Stratocracy,” in F. Murray Greenwood and Barry Wright, eds., *Canadian State Trials, Vol. 1, Law, Politics, and Security Measures, 1608-1837* (Toronto: University of Toronto Press, 1996), 72-97.

<sup>25</sup> Siebert, Peterson and Schramm, 2.

<sup>26</sup> *Ibid*, 18.

<sup>27</sup> *Ibid*, 27.

<sup>28</sup> *Ibid*, 3.

<sup>29</sup> *Ibid*, 23.

<sup>30</sup> Ronald Rompkey, ed., *Expeditions of Honour: The Journal of John Salusbury in Halifax, Nova Scotia, 1749-53* (Newark: University of Delaware Press, 1982), 196.

<sup>31</sup> “Strange that we have no News,” Salusbury noted in another entry on October 11, 1749, “but secrets are Kept from Me.” On July 21, 1750 he again complained of “Never having been let into the secret of Publick affairs.” *Ibid*, 69, 98.

<sup>32</sup> Entry for February 9, 1749/50, in *ibid*, 78.

<sup>33</sup> *Gazette*, April 18, 1752.

<sup>34</sup> Akins, “History of Halifax City,” *Nova Scotia Historical Society Collections*, vol. 8 (1892-94), 230.

<sup>35</sup> Entry for August 27, 1752, in *ibid*, 124.

<sup>36</sup> *Ibid*, November 25, 1752; Marie Tremaine, *A Bibliography of Canadian Imprints 1751-1800* (Toronto: University of Toronto Press, 1952), 7-8. The treaty was signed on November 22 and the following month the council directed Bushell to print it.

<sup>37</sup> *Gazette*, December 23, 1752.

<sup>38</sup> *Ibid*, June 23, November 3, 1753.

<sup>39</sup> *Ibid*, March 16, 1754.

<sup>40</sup> F. Murray Greenwood and Barry Wright, “Introduction: State Trials, the Rule of Law, and Executive Powers in Early Canada,” in Greenwood and Wright, 17, 27-31.

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<sup>41</sup> Akins, *Selections*, 639.

<sup>42</sup> “An Act for punishing Criminal Offenders,” 1758, 32 Geo. II c. 20, s. 15. *The Perpetual Acts of the General Assemblies of his Majesty's Province of Nova Scotia* (Halifax: Robert Fletcher, 1767), 54-5. The law was streamlined in 1770 to leave the form of punishment to the discretion of the courts. Regardless of the punishment imposed under the criminal law, an injured party retained the right to sue the offender for damages. See “An Act for punishing Criminal Offenders,” 1758, 32 Geo. II c. 17, s. 15 (as amended in 1770 by 10 Geo. III c. 6). *The Perpetual Acts of the General Assemblies of his Majesty's Province of Nova Scotia. As revised in the year 1783* (Halifax: Anthony Henry, 1784), 59.

<sup>43</sup> A review of court records for the 1750s shows such lawsuits were rare in early Halifax and the damages recovered were modest. In June 1758 a trader, Lawrence Maxfield, was ordered to pay 20 shillings damages for uttering “false and Defamatory words” about Walker Beirsto. He had accused Beirsto, a carpenter, of stealing nails and boards and labeled him “a Blackguard and a Scoundrel.” *Walker Beirsto v. Lawrence Maxfield*, Records of the Inferior Court of Common Pleas for Halifax, NSARM, RG 37 vol. 5, #6 (1758). A month later another trader, Francos Dockorrot, was sued for allegedly declaring, in “a Loud Voice,” that Joan Broz was “a Whore and a Jew and other Enormities” and accusing her of stealing tea and other items. The court file does not record the damages sought or the outcome of the action. *Joan Broz v. Francos Dockorrot*, *ibid*, #15.

<sup>44</sup> Entry for July 26, 1752 in Rompkey, *Expeditions of Honour*, 122.

<sup>45</sup> MacNutt, 54.

<sup>46</sup> MacNutt, 55.

<sup>47</sup> Hopson to Lords of Trade and Plantations, March 28, 1753, quoted in Brebner, *New England's Outpost*, 246.

<sup>48</sup> This dichotomy is explored in Elizabeth Mancke, “Another British America: A Canadian Model for the Early Modern British Empire.” *Journal of Imperial and Commonwealth History*, vol. 25 no. 1 (January 1997), 1-36.

<sup>49</sup> Brebner, *Neutral Yankees*, 20.

<sup>50</sup> Entry for August 27, 1752, in Rompkey, *Expeditions of Honour*, 124.

<sup>51</sup> MacNutt, 54-5, and Brebner, *Neutral Yankees*, 21. Other biographical information on Mauger is drawn from Donald F. Chard, “Joshua Mauger,” *Dictionary of Canadian Biography*, available on the Internet at <http://www.biographi.ca>.

<sup>52</sup> See Lawrence to Lords of Trade, December 8, 1755, in Akins, *Selections*, 712.

<sup>53</sup> Malcolm MacLeod, “Letter From Another World, 1757.” *Nova Scotia Historical Quarterly*, vol. 3 no. 3 (September 1973), 204.

<sup>54</sup> Jack Tager, *Boston Riots: Three Centuries of Social Violence* (Boston: Northeastern University Press, 2001), 22.

<sup>55</sup> Instructions issued in 1719 to Nova Scotia Governor Richard Philipps required him to assess “what numbers [of residents] it may be proper to constitute an assembly.” He was to govern on a temporary basis – but not enact laws – until an assembly could be called. Barnes, “The Dayly Cry for Justice,” 14-5.

<sup>56</sup> Akins, *Selections*, 496.

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<sup>57</sup> Ibid, 498-501.

<sup>58</sup> Cornwallis to Duke of Bedford, 24 July 1749. Ibid, 567.

<sup>59</sup> The legal opinion, dated April 29, 1755, is reproduced in *ibid*, 710-11.

<sup>60</sup> Lords of Trade to Lawrence, May 7, 1755. Ibid, 709. London was overruling Belcher, who submitted a legal opinion arguing the governor and council had legislative authority. See Brebner, *New England's Outpost*, 250.

<sup>61</sup> Ibid, 251.

<sup>62</sup> Lawrence to Lords of Trade, January 12, 1755. Akins, *Selections*, 709.

<sup>63</sup> Lawrence to Lords of Trade, December 8, 1755. Ibid, 711.

<sup>64</sup> Lawrence to Lord Halifax, December 9, 1755, quoted in Brebner, *New England's Outpost*, 251.

<sup>65</sup> Lawrence to Lords of Trade, December 8, 1755. Akins, *Selections*, 712.

<sup>66</sup> The home government feared disclosure of its legal opinion in Halifax could threaten "the Peace and Welfare of the Province." Lords of Trade to Lawrence, May 7, 1755. Ibid, 710.

<sup>67</sup> Brebner concluded "it was impossible to keep secret the long correspondence between Lawrence and the Board of Trade." *New England's Outpost*, 252.

<sup>68</sup> Lords of Trade to Lawrence, March 25, 1756, *ibid*, 713; Lords of Trade to Lawrence, July 8, 1756. Akins, *Selections*, 715.

<sup>69</sup> Lawrence to Lords of Trade, November 3, 1756. Ibid, 716-7.

<sup>70</sup> Council minutes, December 3, 1756, January 3, 1757. Ibid, 717-8.

<sup>71</sup> Lords of Trade to Lawrence, March 10, 1757. Ibid, 723.

<sup>72</sup> Lawrence to Lords of Trade, November 9, 1757. Ibid, 724.

<sup>73</sup> Ibid.

<sup>74</sup> Lords of Trade to Lawrence, February 7, 1758, Ibid, 725.

<sup>75</sup> Brebner, *New England's Outpost*, 261.

<sup>76</sup> Lawrence to Lords of Trade, September 26, 1758. Akins, *Selections*, 728.

<sup>77</sup> Lawrence to Lords of Trade, December 26, 1758. Ibid, 728-9.

<sup>78</sup> Thomas G. Barnes, "'As Near as May be Agreeable to the Laws of this Kingdom': Legal Birthright and Legal Baggage at Chebucto, 1749," in Waite, Oxner and Barnes, 15-7. In his opening speech to the assembly on October 2, 1758, Lawrence asked members to consider "the expediency or rather necessity of unanimity and dispatch in the confirmation of such acts or resolutions of a Legislative nature" previously enacted by the governor and council. Akins, *Selections*, 731.

<sup>79</sup> Beck, *Politics of Nova Scotia, Volume One: Nicholson-Fielding, 1710-1896* (Tantallon, N.S.: Four East Publications, 1985), 23-4.

## Chapter 6

### **“He will not print it without shewing it to me”: Controlling the *Halifax Gazette***

On paper, at least, the *Halifax Gazette* should have been free of censorship and official control. Colonel Edward Cornwallis was not authorized to regulate the press under the royal instructions issued when he was named Nova Scotia’s governor; by 1749, this was no longer among the powers Britain granted to its colonial governors.<sup>1</sup> It is clear, however, that the administration of the struggling colony was not prepared to allow the newspaper to operate free of its control. With no formal authority to regulate the press, the government relied on the provincial secretary to act as censor, overseeing Bushell’s work and, at times, vetting what he intended to publish.

The office of provincial secretary has been likened to a scaled-down version of Britain’s secretary of state,<sup>2</sup> making it a logical choice for overseeing the *Gazette*. In Britain it was the ministry responsible for investigating libel complaints, with broad powers to search print shops, seize published matter and arrest printers, and operated the British government’s official newspaper, the *London Gazette*.<sup>3</sup> The duties of Nova Scotia’s secretary, as outlined in October 1752, included keeping the handwritten minutes of meetings and other council records, “publish[ing] such Acts as require being made public” and drafting copies for the Lords of Trade and Plantations and the secretary of state in London.<sup>4</sup> The provincial secretary’s letterbooks for the 1750s reveal the office was also a clearinghouse of information, using couriers to convey orders and instructions to the commanders of outlying forts and fielding their replies. It dealt with all aspects of the colony’s business, from mundane matters – such as limiting the ration of rum to

troops stationed at Chignecto and building a bridge at Piziquid – to detailed instructions on issuing export permits and dealing with the Acadians.<sup>5</sup> Benjamin Green, a New England merchant who was among Halifax’s original settlers, served as treasurer and secretary from 1750 to 1752, when the offices were separated.<sup>6</sup> The latter post went to Capt. William Cotterell, who was serving as acting secretary when he was appointed to the council on October 23, 1752.<sup>7</sup> Cotterell held the post for much of Bushell’s tenure at the *Gazette*. Ill health forced him to leave Nova Scotia in August 1757 and he was not replaced until October 1758, when Richard Bulkeley was named his successor. A Dublin-born military officer, Bulkeley had been in Halifax since its founding and was in charge of public works for most of the 1750s. He served as provincial secretary until 1792 and, while biographers have described him as assuming the role of “supervisor” and “editor” of the *Gazette*, there is no record of his dealings with Bushell.<sup>8</sup>

Little is known about Cotterell, who is believed to have been English<sup>9</sup> and was among Halifax’s earliest settlers. As the first provost marshal, it had been his job to publicly announce official news and government proclamations – a practice that continued after this information began appearing in Bushell’s *Gazette*. A fellow councilor, John Salusbury, dismissed him as having little substance – “composed of nothing but Prate and Stuff,” as he put it in his diary. While he was “much the greatest fool that subsist[s]” and “unable to go thro’ any Business,” Salusbury acknowledged Cotterell possessed some political skills.<sup>10</sup> He was “anything but conciliatory” in his dealings with the Acadians before their expulsion in 1755, one writer has noted, but this was consistent with the administration’s hard-line approach.<sup>11</sup> He was also eager to expand his power and authority; within days of joining the council he encroached on

Salisbury's turf and began certifying land grants and swearing in grantees.<sup>12</sup>

The authority he exerted over Bushell became clear in 1754, when a French priest stationed in the Acadian community of Piziquid (present-day Windsor) began sowing dissatisfaction among his parishioners. Henri Daudin, who had been in the colony less than a year, was suspected of encouraging Acadians to emigrate to French-held territories. He was also in contact with the outlawed Abbé Jean-Louis Le Loutre, a classmate from his seminary days in Paris who was inciting Mi'kmaq raids on the British.

Daudin considered the priest at Annapolis Royal "too favourable to the policy of the British" and had him reassigned,<sup>13</sup> but was rebuked by the government for travelling to the community without a pass. Cotterell feared Daudin would use the incident to convince the Acadians the British "had intentions to deprive them of the Free Exercise of their Religion."<sup>14</sup> Daudin, meanwhile, threatened to attack the government in the pages of the *Gazette* – likely over this incident – but this prospect did not worry Cotterell. "If he chuses to play the *Bel esprit* in the Halifax Gazette, he may communicate his matter to the printer as soon as he pleases," Cotterell assured the commander at Piziquid in March 1754, "as he [Bushell] will not print it without shewing it to me."<sup>15</sup> There is no evidence Daudin followed through and approached Bushell; it is clear, however, that his complaints were never aired in the press. All issues of the *Gazette* for the first half of 1754 have survived, and none contain a letter or other statement from Daudin.

Cotterell's comment is capable of two interpretations. On its face, it suggests he vetted everything destined for publication in the *Gazette*, but this seems unlikely – at times Cotterell was so busy with minute-taking and preparing the duplicates destined for London that his assistant, Archibald Hinchelwood, had to step in to handle the



correspondence.<sup>16</sup> Salusbury claimed “the Whole Business of [Cotterell’s] office is done by Hinchelwood,”<sup>17</sup> but this was an exaggeration; the office’s letterbooks show Cotterell personally handled much of the correspondence. It is equally plausible that Bushell was under general instructions to inform Cotterell in advance if he planned to publish anything controversial. Daudin’s threatened submission, if it ever came into the print shop, would certainly have fallen into this category. The defiant Daudin was not one to mince words, as he proved in the fall of 1754 when he convinced Piziquid’s Acadians to stop supplying firewood to the garrison at Fort Edward. He was overheard making “insolent and treasonable” statements about Governor Charles Lawrence and the government, arrested and brought before the council in Halifax. Daudin was convicted of behaving in “an imprudent and threatening manner,” uttering words “highly reflecting on His Majesty’s Government” and promoting “Seditious and undutiful behaviour” among the Acadians. He was ordered expelled but the council relented and allowed him to stay after the Acadians made a “very submissive” plea on his behalf and Daudin’s promise of “future good behavior.”<sup>18</sup> None of these events was reported in surviving issues of the *Gazette*.

The government had opponents other than Daudin, and much closer to home. The New England faction headed by merchant Joshua Mauger was demanding the “rights of Englishmen” they had enjoyed back home – freer political debate and a representative form of government. “When they were snubbed or ignored,” John Bartlet Brebner wrote, “they formed committees, raised subscriptions, and, as well as writing directly to England, engaged a spokesman there.”<sup>19</sup> Those who disagreed with the government or chafed under its policies, however, dared not express their criticisms at home. In a

pamphlet published in London in 1756, an anonymous writer known as J.B. bemoaned the “general decay” of Halifax, noting that “some say it is owing to the military form of government they are under but to say this in Nova Scotia is treason.”<sup>20</sup> Faced with inaction and the threat of prosecution at home, the merchants took their demands directly to Britain, where colonial officials and parliamentarians had the power to overrule Lawrence and introduce reforms. Petitions demanding the creation of an elected assembly may have reached Britain as early as 1751,<sup>21</sup> and British officials had one in hand by 1756 that complained of “the Inconveniency resulting from the want of an Assembly.”<sup>22</sup> At least three anonymous pamphlets were published in London in 1756, each one criticizing Nova Scotia’s military government and demanding an elected assembly.<sup>23</sup> When Lawrence stalled on introducing an elected assembly, the British government received more petitions and anonymous letters from Halifax during 1757 accusing Lawrence and other officials of corruption. The Nova Scotia government was attacked as “deaf to the united Voice of the People,” leaving citizens “as much slaves here as they in Barbary.”<sup>24</sup> A London lawyer, John Ferdinando Paris, was retained to present the petitions to the Lords of Trade and Plantations, which convened hearings in January 1758. While the Lords of Trade were unconvinced by the allegations of corruption, the merchants won a major victory when Lawrence was ordered to delay no longer and to call an assembly.<sup>25</sup>

The government’s tight reins on the colony’s only press and its intolerance to dissent clearly prevented J.B. and others from publishing their views in the *Gazette* or printing their pamphlets locally. Bushell, who had lived in Boston for much of his life, was no doubt sympathetic to the concerns and aims of his fellow New Englanders. But his

ability to aid their cause, had he desired to do so, was severely limited. If the provincial secretary would not tolerate the *Gazette* publishing Daudin's complaints, the merchants' far more serious allegations were certain to be suppressed. Had Bushell defied the government by publishing the merchant's letters and petitions, he risked prosecution for libel and possibly for sedition. Bushell did not become an ally of the opposition – or their tool, as was the case for some early printers – in the way that cliques of committed, literate contributors had used James Franklin's *New-England Courant* and John Peter Zenger's *New-York Weekly Journal* as political weapons against their colonial regimes in the 1720s and 1730s.

At least one of the government's critics tried to use the *Gazette* to influence public opinion. In the paper's February 24, 1753 edition, which was otherwise devoid of Halifax news, Bushell inserted the following notice:

*The Piece sign 'd The Unconcern'd Spectator, calculated for the Thirtieth of January, (left by an unknown Hand) we have receive'd; but as it seems to be also calculated to maintain Faction and a Party-Spirit among the People of this Settlement, we hope we may be excused for not inserting it in this Paper.*

The notice, framed by black lines and introduced with a woodcut of a pointing hand, was prominently displayed and designed to catch the reader's eye. Was Bushell ordered not to print the item? Did he censor himself, knowing the piece would displease the government? While the answer is unknown, his decision to publish the notice did two things. It publicly confirmed that the settlement was beset by divisions and dissent despite the government's demands for harmony and obedience. Bushell did not suggest the anonymous submission was calculated to "create" divisions, but "*to maintain Faction and*

a Party-Spirit” that already existed. Bushell also served notice that the government’s critics would have to look elsewhere for a champion. To drive home the point, Bushell – whether on his own accord or at the government’s behest – devoted the front page of his next edition to an article from a London paper (set in large type for maximum effect) belittling ignorant men who assumed that running a government was an easy task. “[I]f Political Tradesmen, and sorry Scribblers, knew their own Folly,” it noted, “they would not prescribe to Ministers,” the article scoffed. “A Barber can settle the *Affairs of Europe*; make Treaties; give Orders to Ministers and Generals, &c. and all this in the twinkling of his Razor.”<sup>26</sup>

Criticism of the local government surfaced in other editions of the *Gazette*. In December 1753 Bushell republished extracts from a letter, written the previous July by a “Gentleman in Halifax to London friend,” that had appeared in the London *Public Advertiser*. The writer took a swipe at the British government for tolerating the Acadians and French encroachments on Nova Scotia’s borders. “The French want to tire us out from settling this Colony, as it is so advantageously situated for us, and can so greatly annoy them in a Time of War .... Where,” the author pleaded, “is Old England’s courage?” The writer, who assured readers he was “a Friend of Trade, and love my Country,” then accused the colony’s military government of “Mismanagement” and stifling trade:

the Trading People are very much displeased. The regular Troops were sent here to protect them, but I am afraid, if I dare speak my Mind, they will drive away the other Inhabitants, unless the latter be left to govern themselves, as they must necessarily understand their Business better than such as have been brought up in

the military Way.<sup>27</sup>

Here was the nub of the merchants' demands for an elected assembly, legitimized in the *Gazette's* black type for all Halifax to see. Granted, the letter twice crossed the Atlantic before it appeared, when it could have been hand-delivered to Bushell's Grafton Street office and printed five months earlier. But the fact it appeared at all demonstrates the government did not exert complete control over Bushell and his newspaper. Perhaps Bushell was emboldened because he could argue, if taken to task, that he was only republishing comments that had already appeared in the London press. Perhaps such a circuitous route was the only safe means for a sympathetic printer to assist the government's critics.

It is difficult, as well, to imagine the government authorized Bushell to report, in his August 17, 1754 edition, that a British university had issued a diploma to "to varnish the irregular Education, and to decorate the illegal Promotion of a Person now in a lucrative Station ... here." The British Parliament had recently made higher education a requirement for civil service, the *Gazette* reported, and it was well known among "the Prejudiced, the Ignorant, and the Illiterate" that such diplomas were conferred without writing an exam or thesis, and could be obtained for "a Horse" or "an Ass." Bushell declined to name the official – no doubt his readers could figure out who it was – but added that the report was intended as a form of public service, to ensure the public "may not be imposed upon." A month later Bushell reported that soldiers were seen stealing large quantities of potatoes from townspeople's plots on the Common and a witness had overheard them threatening to kill anyone who tried to stop them.<sup>28</sup> This was hardly the kind of news that would improve the strained relations between civilians and the military.

Bushell appears to have been relatively free to republish comment on political and military matters beyond Nova Scotia's borders, even when there were implications for the local government. The lead item of the *Gazette's* March 31, 1753 edition was an extraordinary piece entitled "Observations on Government," a discussion of the kind of "political matters" Governor Lawrence believed were none of the average citizen's business. The author – neither the writer nor the source were identified – considered what makes a government good or bad, and argued that those in power were squarely to blame for bad governance. While the "Interest of the Governors and the Governed is in reality the same .... A Nation is to be judged by the Government it is under at the Time," the author argued. "Mankind is moulded to good or ill, according as the Power over it is moulded to good or ill directed. A Nation is a Mass of Dough, it is the Government that kneadeth it into Form." The item compared government to "a great Galley, where the Officers must be whipped with little Intermission, if they will do their Duty. It is in an orderly Government as in a River, the lightest Things swim at the Top." The thought of Nova Scotia's administrators being whipped to ensure they did their duty would have appealed to the government's opponents; no doubt, as well, they considered them the "lightest Things" in terms of administrative ability and political skill.

More political commentary appeared in February 1755. An item out of London complained that politicians "have laid on tax after tax, 'till there is nothing left to tax in case of another war, except cats and dogs." It went on to question whether the British – "a brave martial people at least in our own conceit" – were prepared for the coming war with France. "[W]e have but little room to boast of our exploits in the last war," the item noted, adding that newspaper exposés of the "miscarriages" and "mistakes" of that conflict

would prevent such errors from being repeated. “Is not this,” it asked, “an unanswerable argument in favour of the liberty of the press?” The best way to protect Britain’s North American colonies was to establish a local militia force rather than sending British troops overseas. “A real and active militia, maintained, disciplined and paid,” the writer explained, “not a nominal one, calculated to stick the titles of Colonels, Majors and Captains, on those who never drew a sword.”<sup>29</sup>

Bushell appears to have been free to draw on Britain’s opposition Tory press without interference from the provincial secretary. The second issue of the *Gazette* republished a ditty attributed to the *London Evening Post*, which warned of France’s designs on India, Africa and Nova Scotia and chided Britain for failing to prepare for war. “Can these Things be, yet *Albion*’s thunder sleep / Swift let her Navies rise, and awe the Deep.”<sup>30</sup> The *London Evening Post* was notorious for its biting attacks on the Whig government; after its founding in 1727, it “had come rapidly to the fore in the Opposition press” and its “brief but savage verses” were widely reprinted in Britain.<sup>31</sup> Bushell also drew five items from another opposition paper, the *Westminster Journal*,<sup>32</sup> between April 1752 and June 1754, the most from any newspaper source attributed in surviving *Gazettes*.<sup>33</sup> His *Journal* borrowings included a dire warning of the consequences of the British government’s neglect of the poor,<sup>34</sup> and a surprisingly glowing tribute upon the death of Whig prime minister Henry Pelham.<sup>35</sup> The Tory press was clearly the source of the *Gazette*’s lead item in July 1752, “*A brief Apology for BRIBERY*,” an unattributed attack on the British government’s economic policies and its purported efforts to bribe Britons with their own money. “Before the Principles of Liberty were clearly stated and well understood, Men were awed by Prerogative, which had a Kind of magical Power

over ignorant, superstitious Spirits,” it began.

But in these better and more enlightened Times, the Rights of the People and the Prerogative of the Crown being rightly distinguished, the former feel their importance and Superiority, and, like virtuous resolute Patriots, will do nothing against their Judgment or Conscience, without some valuable Consideration. This is true Liberty, the Quintessence of Patriotism, and the Sommit of Human Policy.

The item’s reference to “the Experience of above thirty years past” flags it as coming from a British paper hostile to the Whig administration in power since 1714. The author concluded with the sarcastic observation that, “with such a Fund of *Integrity*, supported and strengthened by a large Fund of *Paper* and a huge Fund of *Debts*, [Britain] cannot fail of long making a glorious Figure in the World.”<sup>36</sup>

These extracts paled against the extensive coverage Bushell afforded the controversy over the Jewish Naturalization Act. Parliament approved the legislation in 1753, allowing Jews who had lived in Great Britain or Ireland for three years to take a citizenship oath without renouncing their religion. The act was designed to reward Jewish financiers who helped the government consolidate its debt and reduce taxes, but its passage unleashed a torrent of anti-Semitism. The Tories used the *Evening Post* and their most powerful paper, *The Craftsman*, to orchestrate the attacks and undermine the administration of the Whig prime minister, Pelham.<sup>37</sup> Bushell waded into the controversy in November 1753, republishing a parody of news Britons could expect to read in the *Jewish Journal* in one hundred years’ time when, thanks to the naturalization act, Jews would be in control. Great Britain had been renamed “Judæa Nova,” a statue of Pontius Pilate was about to be erected in London, and a bill to naturalize Christians had been



voted down. George Briton was in Newgate prison after being caught trying to smuggle pork into the country, two Irishmen had been executed at Tyburn for refusing to be circumcised, and theatre managers had been ordered not to stage “a certain scandalous piece, highly injurious to our present happy establishment, entitled, *The Merchant of Venice*.”<sup>38</sup> Bushell lifted the item from the *London Magazine* of July 1753 and may not have been aware of its origins in the Tory press; it had first appeared in *The Craftsman* before being reprinted in the July 14 edition of the *London Evening Post*.<sup>39</sup>

There was, however, no mistaking the anti-government tone of this and other attacks on the legislation and the Jewish people. A week after the *Jewish Journal* parody appeared, Bushell gave top billing to a *London Gazetteer* column warning Britons not to betray their religion and abandon their nation “to the lewd embraces of filthy unbelieving Jews.” Britain was a year away from a general election and readers were urged to vote against “men of a Jewish principle, or a Jewish interest” – an obvious reference to the Whig politicians who had supported the bill.<sup>40</sup> The *Gazetteer*, while not identified in press histories as a Tory paper, supported the government’s critics and came close to being prosecuted in 1750 for spreading false news.<sup>41</sup> Bushell republished a long column three weeks later, perhaps in the interest of balance, defending the legislation and condemning the “Cowards” and “Men of narrow minds” who opposed it. “The plain Question is, will it do Good or will it do harm to the Community, to give Jews this Encouragement?” the writer asked. “The Answer obviously is, it will do great Good.”<sup>42</sup>

Any sense of fairness quickly evaporated. The next *Gazette* offered a mock play credited to *The Craftsman*, which opened with Jewish brokers discussing how they would “soon be upon a footing with the best of them” and enjoy “a fixed place of residence at

last.” Jews were described as “the very atlas of our state” for helping the government through its financial difficulties, much to the surprise of a French visitor who proclaimed his country would never take Jews into its confidence. The Whigs endured abuse on other fronts, with one character taking a shot at the late Sir Robert Walpole, the former prime minister, while another desperately tried to unload stock in the South Sea Company, reminding readers of the financial debacle that almost ruined Britain early in the life of the Whig administration.<sup>43</sup> Political mischief such as this was typical of *The Craftsman*, founded by Tory politicians in 1726 for the sole purpose of rallying opponents of Walpole’s administration. The government retaliated to the paper’s attacks by prosecuting two of its printers for libel the early 1730s and sent both to prison.<sup>44</sup> Remarkably, Bushell was free to repeat *The Craftsman*’s attacks under the noses of the Whig government’s Nova Scotia appointees.

The attacks continued for months as Bushell took part in what has been described as “one of the most violent propaganda campaigns in the history of journalism.”<sup>45</sup> He turned once again to the *London Gazetteer* in mid-December for a member of parliament’s speech demanding repeal of the naturalization act.<sup>46</sup> A week later the *Glasgow Journal* was the source of a renewed call to defeat the bill’s supporters at the polls.<sup>47</sup> A poem inviting Jews to come to England, where they could “once more trample on the Cross of Christ,” appeared on January 5, 1754, along with a mock advertisement for a Jewish surgeon setting up shop in London to do circumcisions. A month later Bushell returned to the *Evening Post* for claims that Jews rivaled Muslims in their “Cruelty and Malice to Christians” and taught their children to spit on images of Christ.<sup>48</sup> And in March 1754, as news reached Halifax that the British government would repeal

the bill, Bushell reported that people in the English town of Southwark had marked the king's birthday by burning a Jew in effigy.<sup>49</sup>

Other material published in the *Gazette*, while far less controversial, offers further evidence that efforts to censor the newspaper were lax or ineffective, or both. Bushell published details of riots and bloodshed that broke out in Bristol in May 1753 as mobs of coal miners protested the high cost of bread<sup>50</sup> – hardly a shining example of the kind of social harmony Nova Scotia's administrators demanded. He reprinted a long list of toasts offered at a gathering of the leading citizens of Dublin, including a toast to “That invaluable Privilege to free Subjects, *the Liberty of the Press*.”<sup>51</sup> A London paper's belittling of the people of Virginia for presuming they should be “as free as the people of England” and spared taxes imposed without their consent, republished in the *Gazette* in July 1754, would surely have incensed Halifax merchants who shared such sentiments.<sup>52</sup> No doubt they yearned to be able, like the author of a London item reprinted that October, to feel free to question imperial military policy “without *Danger*, and without *Offence*.”<sup>53</sup> Bushell frequently published details of the proceedings of elected assemblies in the American Colonies,<sup>54</sup> each one serving to remind Haligonians of New England extraction that their political rights and aspirations were being denied.

The Nova Scotia government faced three serious challenges to its authority during 1753 and 1754 – the Ephraim Cooke affair, the Hoffman Rebellion and an armed confrontation with suspected New England smugglers that left two Royal Navy sailors dead. Each incident exposed growing tensions between Halifax's merchants and the government. The *Gazette*'s files are largely intact for this period, making it possible to explore Bushell's local reportage and assess the kind of information he was free to report

as well as what he chose to ignore or was told to suppress.

Cooke, a trader and justice of the peace, became embroiled in a dispute with his fellow justices of the Inferior Court of Common Pleas in late 1752.<sup>55</sup> His commission was revoked for reasons that are unclear, yet he continued to act as if he were still in office by issuing an arrest warrant. Brought before the court and fined £5 for this action, he behaved with “insolence and imprudence” towards the justices and was jailed overnight for his “affront to the bench.” He was fined another £20 and ordered to pay a £500 bond to ensure his good behavior for a year. Both Cooke and the justices appealed to the council for an inquiry; close to fifty of Halifax’s leading merchants, traders and citizens, led by Joshua Mauger, filed a submission supporting Cooke and accusing the justices of being biased against him and in other cases.

The council began hearing Cooke’s allegations against the justices at the Halifax courthouse on January 3, 1753. The inquiry was a direct challenge to the government’s authority and at least one council member feared, with some reason, that the merchants were flexing their muscles for a direct assault on the entire government.<sup>56</sup> The hearings lasted for several weeks and were held in public,<sup>57</sup> yet the *Gazette* appears to have ignored the proceedings.<sup>58</sup> The inquiry ended on March 1 with a public announcement that the justices had been exonerated. Bushell published these findings seven weeks later, on April 21, devoting his entire front page to Lawrence’s speech explaining the verdict.<sup>59</sup> On the pivotal issue of improperly applying Massachusetts precedents to decide cases, Lawrence concluded the allegation was “not fully proved, as to the Time or Manner” and the justices had “acted in Conformity to the Laws of *England*, and of this Province, as nearly as could be expected, all Circumstances considered.” The fine and jail sentence

meted out to Cooke were proper, the council found, as the justices had “an undoubted Right to fine and imprison for Contempt or Insolence done in the Face of the Court.” There was evidence to support two of the nine complaints, but the council dismissed them based on the justices’ explanations for their conduct.

The rambling speech was a public-relations exercise designed to patch up the rift between Cooke’s supporters and the government. Lawrence called for “Peace and Unanimity,” which was likely why Bushell belatedly gave his words such prominence in the newspaper. The complainants, Lawrence noted, included men with “Property and extensive Dealings in the Colony ... and to the Remonstrances of such Men our Ears will always be open.” Others, he noted bluntly, would better serve the colony by devoting more time to their own affairs; meddling in public affairs had become “a Thing so fatally prevalent in this Town, and which never fails to be the Source of much publick Disturbance, much private Calamity.” He invited “any Person who has Reason to think himself aggrieved, and finds himself unjustly deprived of Redress from those who are appointed for that Purpose” to apply directly to the governor and council, “who will always be ready to do Right to any of his Majesty’s Subjects.” He also issued a blunt warning to the colony’s lawyers, vowing that anyone who abused the court process for “seditious purposes” would be treated as “a Person guilty of the highest Violation of the Laws, as it is perverting the general Right to the greatest Wrong.” Bushell dutifully continued the lawyer-bashing in the lead item of his next issue, reprinting a *Gloucester Journal* parody of a verbose lawyer’s jury address that, “if the Lawyer’s Tongue had been immortal, might have lasted to all Eternity.”<sup>60</sup>

The Hoffman Rebellion was a more serious challenge to the government’s

authority, and the tone and timing of the *Gazette*'s coverage points to an official clampdown on the flow of information. Bushell closely monitored the progress of the Lunenburg settlement, telling readers as early as May 1753 that the site had been surveyed and "we hear is speedily to be settled chiefly by the Germans among us."<sup>61</sup> Convoys began leaving Halifax in early June, he noted in the first of three weekly updates. Captains of two ships involved in the operation described the area as "fine open Country, the Soil exceedingly good, the Grass almost as high as a Man's Knees, the Fruit Trees all in Bloom." The settlers arrived "in high Spirits," they said, and two blockhouses and several houses had been erected by mid-month.<sup>62</sup> There were no further references to the settlement in surviving issues<sup>63</sup> until December, when the *Gazette* reported that a powerful storm had blown down several houses and house frames in Lunenburg and stranded fish on the beaches.<sup>64</sup>

The rumours that sparked the uprising began circulating in Lunenburg at the end of November. On December 15 a mob seized John Petrequin and the following day 150 armed settlers surrounded a blockhouse manned by the British troops defending the settlement. Both sides opened fire, leaving two settlers wounded before the attackers withdrew. A courier brought word of the insurrection to Halifax on December 17. Lieutenant-Colonel Robert Monckton was dispatched to restore order and, while the nature of his mission may not have been widely known, all Halifax witnessed the flurry of preparations. In just two days, two hundred soldiers were mustered, two ships beached for the winter were refloated, and supplies were assembled and loaded. Monckton's force set sail on December 19, reached Lunenburg on December 22 and had the situation under control by Christmas Eve.<sup>65</sup>

The *Gazette* was silent on the uprising and the frantic preparations for Monckton's departure. Bushell's role in the crisis appears to have been to educate his readers, not to inform them. The militia had been called out to guard Halifax in the troops' absence and Bushell used the front page of his first two issues of 1754 to reproduce the full text of the *Militia Act*, which required every able-bodied male between the ages of sixteen and sixty to serve in the defence force. The legislation was eight months old but, as Bushell explained in an editor's note, "being in the Hands of but a few Persons, we thought the publishing [of] it at this Time of Military Watches, might not be unacceptable to our Readers."<sup>66</sup> He finally revealed the reason for the military watches on January 12, reporting that a ship had arrived from Lunenburg with soldiers "sent thither some Time ago, in order to quell some riotous proceedings among the Dutch Settlers there; and we hear they have bro't some of them Prisoners."<sup>67</sup> Three weeks later the *Gazette* noted that Monckton had returned with the rest of his troops, prompting Lawrence to relieve the militia of its guard duties.<sup>68</sup>

Bushell did not disclose details of the uprising until mid-March, and only in a roundabout fashion. An unidentified Halifax man who was in Lunenburg during the incident wrote two letters that appeared in the Boston papers in early February. Bushell republished them on March 16, almost three months after the events occurred. The letters provided an accurate account of events,<sup>69</sup> describing how the rumoured letter had led to Petrequin being tortured, the confrontation with the garrison and the exchange of gunfire that wounded two rioters. The garrison was badly outnumbered and the mob, five hundred strong, "threaten'd to destroy the Forts and Storehouses, and put all the *English* to Death," the writer claimed. The belligerence of these "insolent Wretches" continued

when reinforcements arrived from Halifax. The mob refused to allow them to land until Monckton's warships trained their cannon on the shore, the writer noted, at which point "The *Germans* very prudently declin'd Opposition." The letters laid blame for the entire incident on John William Hoffman, who was in prison in Halifax awaiting trial.

Monckton, "by Dint of Perseverence has at last unravel'd this close laid Piece of Villany – Mr. *Hoffman* is discovered to be the Author of the incendiary Letter," the writer noted.

"[H]e has traced the Scheme thro' all its Meanders to the Source of Mischief, Mr. *Hoffman*," and the evidence gathered was "sufficient to convict him, if the Law admits of it."<sup>70</sup>

The Nova Scotia government shared the writer's belief in Hoffman's guilt.

Hoffman was brought before the Council in January 1754 for a preliminary hearing and accused of being the "contriver and promoter" of the uprising.<sup>71</sup> Lawrence considered him "the Author of all the Disturbances at Lunenburg" and believed the evidence "was very full against him."<sup>72</sup> But the government failed to convince the grand jury to return an indictment for treason, and at his April trial a second jury found him guilty of less-serious misdemeanors. In a recent reassessment, historian and archivist Barry Cahill has portrayed the case as a battle in the war between the government and the merchants of New England extraction, who dominated the grand jury and acted as "a *de facto* pre-legislative constituent assembly." Lawrence prejudged the case and let personal animosity toward Hoffman taint the prosecution, Cahill argued, making Hoffman the victim of bias and "a gross miscarriage of justice."<sup>73</sup> Viewed from this perspective, the *Gazette's* publication of letters proclaiming Hoffman's guilt six weeks before his trial appears calculated to bolster the government's case and influence members of the grand and petit



juries. The verdict was a major rebuke for Lawrence's administration, and Bushell minimized the damage to the government's reputation by publishing nothing about the trial and its outcome.<sup>74</sup>

Bushell covered the smuggling incident and its subsequent legal proceedings as they unfolded, and in some detail. He broke the news of the "melancholy Affair" on August 10, 1754, two weeks after it occurred. This initial report was based on an official source – "an Express" to Governor Lawrence from the commandant at Annapolis Royal – and accepted as fact that the Boston-based sloop *Nancy and Sally* was trading illegally with the French when intercepted. Bushell presented the salient details. *HMS Vulture* had dispatched eight men in a small boat to inspect the sloop but the captain, John Hovey, refused to allow them aboard. *Nancy and Sally's* swivel gun was fired on the boat, killing one man and seriously wounding another, who later died. Several other *Vulture* crewmen were wounded, but the party managed to board and take possession of the sloop. Hovey and his crew had been put in irons, the *Gazette* reported, and were being brought to Halifax for trial.<sup>75</sup> The next issue reported that a justice of the peace had questioned the prisoners, who were in jail in Halifax awaiting trial for murder.<sup>76</sup> Six weeks later, Bushell reported that Hovey had escaped from His Majesty's gaol and a £20 reward was offered for his capture.<sup>77</sup> When the case went to trial two months later, Bushell ignored the evidence presented and Chief Justice Jonathan Belcher's dressing-down of the jury after the verdict. The *Gazette* did not even report the punishment imposed, and simply noted that, after a ten-hour hearing, the jury had convicted three crewmen of the reduced charge of manslaughter and acquitted the remaining two.<sup>78</sup> As with the Cooke case, Bushell's reporting seems to bear the government's stamp of approval. Cotterell may have

intervened and toned down what appeared in print, since the jury's verdict was a blow the government's hard line on smuggling.<sup>79</sup> Bushell's cursory coverage stands in stark contrast to the extensive accounts of British trials he sometimes recycled from other papers.<sup>80</sup>

The Nova Scotia government, denied the authority to license the press, relied on the office of the provincial secretary to censor what appeared in the pages of the *Halifax Gazette*. Bushell's restrained coverage of serious challenges to the government's authority in 1753 and 1754 suggests this enabled the government to exert some control over the dissemination of information. The provincial secretary proved incapable, however, of preventing Bushell from drawing attention to the growing rift between the government and New England merchants demanding democratic reforms. Bushell defied his censors in December 1753 to report that "the Trading People" of Halifax were chafing under military rule and demanding "to govern themselves." He reprinted political commentary from London papers that reflected Enlightenment notions of press freedom and government accountability. Perhaps most remarkably, he was free to draw on Britain's opposition press to repeat criticism of the home government's legislation and military policies. At a time when the British and American press was growing in power and sophistication and most forms of press control had been abandoned, Nova Scotia officials contending with a single newspaper found it difficult – and, at times, impossible – to suppress political commentary and debate.

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### Endnotes

<sup>1</sup> Leonard Woods Labaree, ed., *Royal Instructions to British Colonial Governors 1670-1776*, vol. 2 (New York: Octagon Books, 1967), 496, 927.

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<sup>2</sup> Arthur S. Barnstead, "Development of the Office of Provincial Secretary, Nova Scotia." *Nova Scotia Historical Society Collections*, vol. 24 (1938), 2.

<sup>3</sup> The secretary of state's role in overseeing the British press, beginning in the 1660s, is discussed in Laurence Hanson, *Government and the Press, 1695-1763* (Oxford; Clarendon Press, 1936), 28-30, 46-7, 62, 71, 85.

<sup>4</sup> Council minutes, cited in Barnstead, 4.

<sup>5</sup> See correspondence in Letter Books of Nova Scotia's Governors and Provincial Secretaries, Nova Scotia Archives and Records Management, RG 1 vol. 134.

<sup>6</sup> Donald F. Chard, "Benjamin Green," *Dictionary of Canadian Biography*, available on the Internet at <http://www.biographi.ca>. He does not appear to have been related to fellow New Englander Bartholomew Green Jr.

<sup>7</sup> T.B. Akins, ed., *Selections from the Public Documents of the Province of Nova Scotia* (Halifax: Charles Annand, 1869), 208.

<sup>8</sup> Biographer J.S. Macdonald asserts that Bulkeley "took great interest in [the *Gazette*'s] production." Macdonald, "Richard Bulkeley 1717-1800," *Nova Scotia Historical Society Collections*, vol. 12 (1905), 62, 69, 86. See also Phyllis Blakeley, "Richard Bulkeley," *DCB*; J.J. Stewart, "Early Journalism in Nova Scotia," *Nova Scotia Historical Society Collections*, vol. 6 (1888), 100; and Marie Tremaine, *A Bibliography of Canadian Imprints 1751-1800* (Toronto: University of Toronto Press, 1952), 600. Bulkeley's appointments as provincial secretary and councilor are noted in Barnstead, 12-5; Akins, "History of Halifax City," *Nova Scotia Historical Society Collections*, vol. 8 (1892-94), 52; and Beamish Murdoch, *A History of Nova Scotia, or Acadie*, vol. 2 (Halifax: James Barnes, 1865), 356.

<sup>9</sup> Cotterell is one of the few government officials in early Halifax who did not merit an entry in the *DCB*. John Bartlet Brebner concluded Cotterell was "probably English." See Brebner, *New England's Outpost: Acadia before the Conquest of Canada*. (New York: Columbia University Press, 1927), 222.

<sup>10</sup> See diary entries for August 27 and October 21, 1752, in Ronald Rompkey, ed., *Expeditions of Honour: The Journal of John Salusbury in Halifax, Nova Scotia, 1749-53* (Newark: University of Delaware Press, 1982), 124, 126. See also J. G. Adshead, "Hon John Salusbury, 1707-62," *Collections of the Nova Scotia Historical Society*, vol. 29 (1951), 14-5, and Rompkey, "John Salusbury," *DCB*.

<sup>11</sup> Barnstead, 13.

<sup>12</sup> Much to the chagrin of Salusbury, who felt he "ought to have the swearing [of] the Grantees and the sealing of the Grants – and Every thing relative to the Grants of Lands." According to Salusbury, Governor Hopson encouraged Cotterell to take over his land grant duties. Entry for October 29, 1752, in Rompkey, *Expeditions of Honour*, 128.

<sup>13</sup> Biographical details are drawn from Micheline D. Johnson's entry on Daudin and Gérard Finn's on Jean-Louis Le Loutre in *DCB*.

<sup>14</sup> Cotterell to Capt. Matthew Floyer, June 15 1754, in Akins, *Selections*, 210-1. The Daudin affair is recounted in Brebner, *New England's Outpost*, 211-2.

<sup>15</sup> Cotterell to Floyer, March 18, 1754, RG 1 vol. 134, pp. 78-80, quoted in Murdoch, vol. 2, 234.

<sup>16</sup> See Hinchelwood to Capt. John Handfield, May 6, 1754 and Hinchelwood to Handfield, October 1754, NSARM, RG 1 vol. 134, pp. 129, 262. Cotterell was also away from his office in the summer of 1754,

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attending to business in Lunenburg. Hinchelwood to Capt. Alexander Murray, July 23, 1754, *ibid*, p. 186.

<sup>17</sup> Entry for August 27, 1752, in Rompkey, *Expeditions of Honour*, 124. Reproduced in Adshead, 15.

<sup>18</sup> Details of this incident are drawn from Cotterell to Murray, September 23, 1754; Council minutes, September 24, October 1, 2, 3, 1754; Cotterell to Murray, October 21, 1754, all reproduced in Akins, *Selections*, 221-7, 234-5.

<sup>19</sup> Brebner, *New England's Outpost*, 240.

<sup>20</sup> Quoted in Barry Cahill, "The 'Hoffman Rebellion' (1753) and Hoffman's Trial (1754): Constructive High Treason and Seditious Conspiracy in Nova Scotia under Stratocracy," in F. Murray Greenwood and Barry Wright, eds., *Canadian State Trials, Vol. 1, Law, Politics, and Security Measures, 1608-1837* (Toronto: University of Toronto Press, 1996), 72.

<sup>21</sup> Brebner, *New England's Outpost*, 248.

<sup>22</sup> Lords of Trade to Lawrence, July 8, 1756, reproduced in Akins, *Selections*, 715.

<sup>23</sup> *Letter from J.B. to a Noble Lord* (London, 1756); J.B. and W.M., *An Account of the Present State of Nova-Scotia, in Two Letters to a Noble Lord: One from a Gentleman in the Navy lately arrived from thence. The other from a Gentleman who long resided there. Made publick by his Lordship's Desire* (London, 1756); J.W., *A Letter From a Gentleman in Nova-Scotia, to A Person of Distinction on the Continent. Describing the present State of Government in that Colony, With some seasonable Remarks* (1756).

<sup>24</sup> Quoted in Brebner, *New England's Outpost*, 254, 257.

<sup>25</sup> *Ibid*, 258-60; MacNutt, 58-9.

<sup>26</sup> *Gazette*, March 3, 1753.

<sup>27</sup> *Ibid*, December 8, 1753.

<sup>28</sup> *Ibid*, September 28, 1754.

<sup>29</sup> *Ibid*, February 15, 1755.

<sup>30</sup> *Ibid*, March 30, 1752.

<sup>31</sup> G.A. Cranfield, *The Press and Society: From Caxton to Northcliffe* (London: Longman Group Ltd., 1978), 45.

<sup>32</sup> Jeremy Black identifies the *Westminster Journal* as an opposition weekly in *The English Press in the Eighteenth Century* (Philadelphia: University of Pennsylvania Press, 1987), 40, 96, 144.

<sup>33</sup> The *Journal* items appeared in the *Gazette* on April 6, August 22, November 18, 22, 1752; June 29, 1754. Bushell drew on the London-based *Gentleman's Magazine* a dozen times during his first twenty months of publication, making it his leading source of attributed material.

<sup>34</sup> *Gazette*, November 18, 1752.

<sup>35</sup> *Ibid*, June 29, 1754.

<sup>36</sup> *Ibid*, July 18, 1752.

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<sup>37</sup> Cranfield, 49; Stephen Brumwell and W. A. Speck, eds., *Cassell's Companion to Eighteenth Century Britain* (London: Cassell & Co., 2001), entries for "Jewish Naturalization Act," 208-9, and "Henry Pelham," 287-8.

<sup>38</sup> *Gazette*, November 3, 1753.

<sup>39</sup> Cranfield, 49-50.

<sup>40</sup> *Gazette*, November 10, 1753.

<sup>41</sup> Hanson, 71.

<sup>42</sup> *Gazette*, December 1, 1753.

<sup>43</sup> *Ibid*, December 8, 1753; Entry for "South Sea Bubble" in Brumwell and Speck, 358-60.

<sup>44</sup> Fredrick Seaton Siebert, *Freedom of the Press in England, 1476-1776: The Rise and Decline of Government Control* (Urbana: University of Illinois Press, 1965), 340; Anthony Smith, *The Newspaper: An International History* (London: Thames and Hudson Ltd., 1979), 62; Cranfield, 41; Hanson, 5-6, 19, 67-70.

<sup>45</sup> Cranfield, 49.

<sup>46</sup> *Gazette*, December 15, 1753.

<sup>47</sup> *Ibid*, December 22, 1753.

<sup>48</sup> *Ibid*, February 2, 1754.

<sup>49</sup> *Ibid*, March 9, 1754.

<sup>50</sup> *Ibid*, October 6, 1753.

<sup>51</sup> *Ibid*, July 20, 1754.

<sup>52</sup> *Ibid*, July 27, 1754.

<sup>53</sup> *Ibid*, October 5, 1754.

<sup>54</sup> See, for instance, Virginia Governor Robert Dinwiddie's speech to House of Burgesses, reprinted in the *Gazette's* April 27, 1754 edition; Governor Horatio Sharpe's speech to open Maryland's assembly, which appeared on June 29, 1754; the August 10, 1754 report of Massachusetts Governor William Shirley's address to both houses of that colony's assembly; and the speech of James DeLancey, the lieutenant governor, to New York's council and assembly, published November 16, 1754.

<sup>55</sup> This account is drawn from "Introduction" and John Salusbury's diary entries for December 14, 30, 1752, January 3, 10, 23, 1753, in Rompkey, *Expeditions of Honour*, 48-50, 129-130; Sandra E. Oxner, "The Evolution of the Lower Court of Nova Scotia," in Peter Waite, Oxner and Thomas Barnes, eds., *Law in a Colonial Society: The Nova Scotia Experience* (Toronto, Carswell, 1984), 62-3.

<sup>56</sup> "We are very weak thus to Indulge them," Salusbury noted, "the next point will be to fly at us." Entry for January 23, 1753 in Rompkey, *Expeditions of Honour*, 130.

<sup>57</sup> "This mighty accusation against the Justices was opened in public at the Court House," Salusbury noted in his diary. See entries for January 3 and 23, 1753 in *ibid*, 130.

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<sup>58</sup> All editions of the *Gazette* for the first three months of 1753 have survived with the exception of January 20, so it is possible details of Cooke's hearing, then entering its third week, were reported in the missing issue.

<sup>59</sup> Salusbury, who considered it a "foolish speech" that "disobliged both the people and the Justices," recorded in his diary that Cotterell wrote it for Lawrence to deliver. He also noted the speech was delivered in open court. Entry for March 1, 1753 in Rompkey, *Expeditions of Honour*, 133.

<sup>60</sup> *Gazette*, April 28, 1753. Eight months later, Bushell republished a poem that portrayed lawyers as untrustworthy. "[H]ave a Care for you're the *Lambs*," the anonymous poet warned clients, "And they the *Wolves* that eat you." Or, switching metaphors, clients were horses and lawyers "The *Jockeys* that will ride you." *Ibid*, December 15, 1753.

<sup>61</sup> *Ibid*, May 5, 1753.

<sup>62</sup> *Ibid*, June 9, 16, 23, 1753.

<sup>63</sup> Five issues published between June and December 1753 are missing – September 15, 22, October 13, November 17, 24.

<sup>64</sup> *Gazette*, December 15, 1753.

<sup>65</sup> Winthrop Pickard Bell, *The "Foreign Protestants" and the Settlement of Nova Scotia: The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Toronto: University of Toronto Press, 1961), 450-1.

<sup>66</sup> *Gazette*, January 5, 12, 1754. Bushell's explanatory note appeared in the January 5 edition.

<sup>67</sup> *Ibid*, January 12, 1754.

<sup>68</sup> *Ibid*, February 2, 1754.

<sup>69</sup> When compared to other surviving accounts and records. See Bell, 450-68.

<sup>70</sup> *Gazette*, March 16, 1754.

<sup>71</sup> Bell, 460.

<sup>72</sup> Quoted in Cahill, '*Hoffman Rebellion*', 82-3.

<sup>73</sup> *Ibid*, 80, 83. Cahill points to Lawrence's decision not to prosecute fifteen others who led the uprising as evidence Hoffman was a scapegoat and treated unfairly. The anonymous author of a pamphlet published in Halifax later described Hoffman trial as an "Act of Oppression" by the government. A Member of the Assembly, *An Essay on the Present State of the Province of Nova-Scotia, With Some Strictures on the Measures Pursued by Government from Its First Settlement by the English in the Year, 1749* (Halifax: Anthony Henry, 1774), quoted in Bell, 465.

<sup>74</sup> Hoffman's trial began on April 30 and lasted two or three days. There is no mention of it in that week's *Gazette*, which appeared on May 4, or in the May 11 edition, which was the last before the paper suspended publication for three weeks.

<sup>75</sup> *Gazette*, August 10, 1754.

<sup>76</sup> *Ibid*, August 17, 1754.

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<sup>77</sup> Ibid, September 28, 1754.

<sup>78</sup> Ibid, November 30, 1754. The *Gazette*'s brief report implied Hovey was also convicted of manslaughter, but since he was at large the grand jury declined to return a true bill to send his case to trial. James Muir and Jim Phillips, "Michaelmas Term 1754: The Supreme Court's First Session," in Philip Girard, Phillips and Barry Cahill, eds., *The Supreme Court of Nova Scotia 1754-2004: From Imperial Bastion to Provincial Oracle* (Toronto: University of Toronto Press, 2004), 270.

<sup>79</sup> Bushell may have had personal reasons for downplaying the case. The superficial coverage ensured his disgraced former partner Otis Little, who acted for the defence, received no recognition in the *Gazette* for his role in saving the crewmen from the gallows. Ibid, 272.

<sup>80</sup> See, for example, coverage of the trial and execution of an Essex woman, Elizabeth Jeffrys, in the *Gazette*'s June 27, 1752 edition, and the exhaustive account of the murder trial of English apothecary Gill Smith, which almost filled the February 16, 1754 edition and had to be continued the following week.

## Chapter 7

### **“For the Good of the Province”: Creating a Public Sphere in Nova Scotia**

“To the Publisher of the HALIFAX GAZETTE,” a correspondent using the pen-name “Agricola” wrote to John Bushell soon after the newspaper’s founding. “Your communicating to the Public the following Piece in your Paper, will oblige.” Bushell used the submission, an essay promoting self-sufficiency and praising the government’s recent offer of bounties to promote agriculture, to lead off his May 30, 1752 edition. Agricola’s stated goal was to generate public debate, “in hopes that others more capable may be encouraged to communicate their sentiments on such subjects as may regard the general interest, observing with the strictest caution to avoid every thing that may lead the way to contentions.” The *Gazette*, to Agricola’s mind, was more than a compendium of news from Europe and America punctuated with occasional descriptions of Halifax events; it was a forum to discuss local issues of public importance. “[A]ny speculations that serve to promote the prosperity of this province,” Agricola was confident, “cannot fail of being acceptably received by the inhabitants and every other person interested in the success of it.”

Agricola’s words underlined the role Bushell’s newspaper played in Nova Scotia’s evolving public sphere. This would have been news to historian J.S. Martell who, writing in the 1930s, suggested there were few newspaper readers in eighteenth-century Nova Scotia. He considered the founding of early papers like the *Gazette* as a “pathetic endeavour” akin to “cultivat[ing] hothouse plants in a wilderness. The people, engrossed with the many new problems of making a living, were not interested in literary extracts



and classical allusions, nor were they ready to make any contributions themselves. The day of intellectual curiosity, local patriotism, and native originality had not dawned in the Maritime Provinces.”<sup>1</sup> Yet, even amid the humble surroundings of early Halifax, there were readers. Early Halifax boasted a core of professionals and businessmen who would have had the education, and likely the inclination, to read the *Gazette*. A list of more than 2,400 settlers who accompanied Cornwallis to Halifax in June 1749 includes 110 men whose professions required some degree of education or specialized training, including eighteen surgeons, twelve surgeon’s mates, five schoolmasters, forty-five military and naval officers of the rank of lieutenant or above, seven clerks, lawyers Otis Little and Daniel Wood, three surveyors, three apothecaries and two apothecary’s mates, an engineer, a clergyman, three self-described “gentlemen” and two merchants. There were enough refined, upper-class men, in fact, to attract nine makers of the periwigs they wore to reflect their status and fine breeding.<sup>2</sup> Promises of free land, tools and provisions attracted an unruly collection of discharged sailors and soldiers to the settlement, but Cornwallis noted with relief that the initial wave of settlers included “many ... of the better sort” who were “very useful in managing the rest.”<sup>3</sup> An influx of officeholders from Britain and New England merchants followed these pioneers as Halifax developed into an administrative and commercial centre, adding potential *Gazette* subscribers. By 1752 Halifax even boasted a poet, comedian and former Fleet Street tobacconist who had performed at Covent Garden.<sup>4</sup>

The *Gazette*’s readership was not limited to the upper classes. One indicator of literacy is a person’s ability to sign his or her name; by this measure, studies of marriage registers suggest that, by 1760, as many as sixty per cent of men and forty per cent of

women in Britain could read and write.<sup>5</sup> Literacy rates were even higher in New England, the homeland of many of Halifax's citizens, thanks to the Puritan emphasis on education. There, studies of signatures indicate at least eight out of ten men and six out of ten women could read and write by mid-century.<sup>6</sup> Most tradesmen and craftsmen in eighteenth-century Britain could read, while a majority of labourers and servants could not.<sup>7</sup> Among the settlers who arrived in Halifax from Britain in 1749 were scores of skilled tradesmen, including sixty-seven carpenters, fourteen joiners, seventeen shipwrights, eleven tailors, ten coopers, nineteen shoemakers and a cabinetmaker. More specialized trades were represented as well; besides the nine wigmakers, Halifax boasted two toolmakers, a glass grinder, two makers of watch crystals, four metalworkers, a mechanic, two gunsmiths and a craftsman whose speciality was making powder flasks.<sup>8</sup> Bushell himself to be literate, if not learned, to be a printer; a recent American study described colonial printers as "the intellectual elite" of the eighteenth-century working class, providing a service "indispensable to the political and intellectual life of their communities."<sup>9</sup>

There is ample evidence of literacy and educational opportunities in the new settlement. The promoters of a planned biography of the Earl of Craufurd, a British general killed in a battle with the Ottoman Turks in 1739, believed there was a pool of literate gentlemen in Halifax; they took out a large advertisement in the *Gazette* in the summer of 1752 inviting subscriptions to support its publication and directing those interested to contact a Halifax agent.<sup>10</sup> And while Nova Scotia lacked a formal system of education until 1811,<sup>11</sup> there was no shortage of private schools in Halifax offering instruction to children and adults alike. Five schoolmasters – Thomas Atkinson, John

Walker, John Peacock, Jonathan Baptiste Moreau and John Trimmer – accompanied the first wave of settlers in 1749.<sup>12</sup> At least three schools were operating when the *Gazette* debuted in 1752. Leigh and Wragg were teaching “Spelling, Reading, Writing in all it’s [sic] different Hands.” The duo offered courses in mathematics, “the true Italian Method of Book-keeping in a new and concise Manner” for merchants, and two-hour evening classes “for the Conveniency of grown Persons improving their learning.” They also sold quills, ink, slate pencils, writing paper and writing and spelling books.<sup>13</sup> Elizabeth Render was running a reading school for children as a sideline to her millinery business.<sup>14</sup> Henry Meriton’s upscale “Academy in *Grafton-Street*” catered to “Young Gentlemen” who would quickly master spelling by following “short and easy” rules “comprehensible to almost the youngest Capacity.” Meriton taught reading, writing, French, Latin, arithmetic, geometry, trigonometry, astronomy, navigation and surveying, and offered dancing lessons to “Young Ladies, *as well as* Gentlemen.” Meriton scaled back his operation in mid-1754, when he began teaching out of his home; while continuing to offer an ambitious course list, he advertised tuition “at as low a Rate as any Person in this Place has ever undertaken to teach.”<sup>15</sup> Such drastic measures suggest keen competition for students rather than a drop in demand for education. Daniel Shatford opened a school on New Year’s Day 1754 to teach writing, Latin, math, navigation and other subjects; by the end of the year he was also offering night courses in reading, writing, navigation and keeping merchants’ accounts.<sup>16</sup> Shatford, who came to Halifax from New York, taught poor children for free and operated the school until his death in 1773.<sup>17</sup> Even the orphan’s home had its own school, where fifty children were under the tutelage of schoolmaster Ralph Sharrock.<sup>18</sup>

The *Gazette*'s advertising columns show Halifax's earliest settlers had access to books, even though public libraries were not established in Nova Scotia until the 1820s.<sup>19</sup> A Halifax resident took out an advertisement in the *Gazette* in the fall of 1752 seeking the return of a lost copy of volume four of the popular romance series *The Adventures of Gil Blass of Santillane*.<sup>20</sup> Richard Bulkeley, the director of public works and provincial secretary after 1758, was regarded as "the great leader of official and social life in Halifax" and maintained a private library and a well-stocked wine cellar.<sup>21</sup> Samuel Sellon sold off a collection of books in mid-1753, including a Bible, volumes on history and divinity and some pamphlets.<sup>22</sup> A library sold at auction in the summer of 1754 included the latest edition of Chambers dictionary, three volumes of the *American Magazine*, a two-volume collection of sermons, Turner's *History of Religion*, Ovid's *Metamorphosis*, guides to cooking and etiquette, and books of poetry by John Pomfret and François Rabelais.<sup>23</sup> The Marquis de Conte et Gravina, a Sicilian nobleman and soldier who settled in Halifax,<sup>24</sup> sought the return of a number of French-language books sold off after his wife died and while he was absent from the settlement.<sup>25</sup> Another man pleaded for a borrower to return volume five of a history of Britain's House of Lords, containing the proceedings for 1737, "as the Want of it breaks a Sett."<sup>26</sup> Bushell himself imported and sold American Nathaniel Ames's *Astronomical Diary and Almanack*, a popular forerunner of Benjamin Franklin's *Poor Richard's Almanack*.<sup>27</sup>

Bushell's newspaper appealed to the educated and the urbane. Bushell inserted quotations from Horace, Euripides, John Milton, Alexander Pope and Jonathan Swift, as well as Latin snippets culled from Virgil, with enough frequency to suggest these authors and their works were familiar to his readers.<sup>28</sup> He was confident his readers knew their

Shakespeare, reprinting a *Gentleman's Magazine* parody of Hamlet's famous monologue entitled "The Bachelor's SOLILOQUY" with the opening line, "To wed or not to wed – That is the Question."<sup>29</sup> To satisfy those curious about the latest scientific advancements, Bushell began one issue with a description of the mechanical ventilators installed to improve air quality inside London's notorious Newgate prison.<sup>30</sup> And Bushell assumed his audience would want to peruse the *London Magazine's* inventory of the late Sir Hans Sloane's library, which included 50,000 volumes of books and prints as well as thousands of samples of flora, fauna and minerals.<sup>31</sup>

The *Gazette*, as well, could reach those who could not read. In Halifax, as in England and America, coffeehouses, inns and taverns offered venues for the paper to be shared and read aloud. "Houses of entertainment were numerous and well kept at any early period," one writer has noted, and innkeeper and trader William Piggott has been credited with opening the settlement's first coffeehouse in April 1751.<sup>32</sup> A year later the *Gazette's* sixth issue heralded the opening of a coffeehouse near the settlement's north gate "for the Entertainment of ... Gentlemen," who would be served "the best of Tea, Coffee, Chocolate, and other Refreshments."<sup>33</sup> The government appears to have controlled the spread of such gathering places; the coffeehouse near the north gate opened "With the Approbation of his Excellency the Governor" and Piggott was granted a licence to open his establishment.<sup>34</sup> Coffeehouse culture was such an integral part of Halifax life that, in June 1754, Edward Clarke ran an advertisement in the *Gazette* inviting local merchants visiting London to transact their business at his coffeehouse, located near the Royal Exchange.<sup>35</sup> A tavern called the Mairmaid opened its doors sometime prior to April 1753 and Halifax's premier inn and tavern, the Great Pontack, billed as a place "where

gentlemen of every profession both of town and country may rely on being genteely entertained at the most reasonable rates” was in operation by 1754. The Pontack, with its fine kitchen and “large and commodious Assembly Room,” hosted official gatherings and celebrations. Government officials, military officers and leading merchants and citizens gathered there in October 1754 for an “elegant breakfast” before parading through town to a swearing-in ceremony for Nova Scotia’s first chief justice, Jonathan Belcher. It was also the scene of a farewell dinner thrown in 1758 before General James Wolfe and his troops departed to lay siege to the French fortress at Louisbourg. At least two other taverns – one named after Governor Lawrence and the Split Crow, which catered to seamen – were in operation by 1761.<sup>36</sup>

The *Gazette* brought people together in person as well as in print. Bushell’s print shop served as an informal gathering place where Halifaxians of all walks of life could meet, gossip and perhaps discuss the latest news and the events of the day. Merchants and their clerks were regular visitors as they bought advertisements for their goods; government officials dropped by with official notices to be inserted in an upcoming issue; customers came through the door to buy books and printed matter; subscribers made a weekly pilgrimage each Saturday or shortly afterwards to pick up their paper; contributors delivered original essays or items culled from other papers for Bushell to publish; readers turned up in response to lost-and-found notices and other advertisements directing them to “enquire of the printer.” The public nature of the work gave Bushell and his fellow newspaper publishers a prominence in the community far above that of a typical artisan or small businessman. “A printer’s daily business brought him into contact with the local ruling, thinking, and writing classes; the government officials, political leaders, lawyers,

and clergymen who were most likely to produce and consume printed matter.”<sup>37</sup>

As the government’s efforts to control political commentary demonstrate, Nova Scotia’s administrators understood the *Gazette*’s power to mould public opinion. When William Magee, the commissary of stores and provisions, was suspended in 1755 for sending an “insolent” and “defamatory” letter to a merchant that threatened to “create a disturbance in this Place,”<sup>38</sup> Lawrence expected him to make amends in the *Gazette*. The governor suspended Magee in the expectation he would take “the earliest Opportunity of shewing a due contrition for his Offence, and making a publick recantation in the News Paper,” Cotterell noted, “not only for the satisfaction of the Person he had injured, but to convince the Public that the Government will not protect any of its Officers in creating ill Blood or insulting the Inhabitants of this Colony.” Magee was fired after refusing to publish the retraction the government believed was needed to restore public confidence.<sup>39</sup> Similarly, justice of the peace James Monk saw the newspaper as a means to mobilize public opinion against the government. When Lawrence moved to dismiss him in 1760 for failing to attend to his court duties, Monk responded with a threat to go public and “print the affair,” presumably in the *Gazette*.<sup>40</sup>

Members of the public recognized the paper’s influence and exploited it. Sometimes their motives were personal, as when James Fallon took out an advertisement in September 1753 to apologize for calling artillery sergeant Robert Gillaspie a “Scoundrel, Black Guard, Bug[g]er, and several other abusive and scandalous Names” on the parade ground. The “false and malicious” words were uttered in the heat of passion, the advertisement said, and “in this public Manner” Fallon was seeking Gillaspie’s forgiveness.<sup>41</sup> Others submitted material for publication because they hoped it would be

of interest to *Gazette* readers, and Bushell welcomed contributions that encouraged hard work or promoted Nova Scotia's prosperity. Agricola's May 1752 essay offered "the most grateful acknowledgements" to the government for introducing bounties to encourage farming and fishing. "Supplying the settlers with provisions, has I fear, been rather an encouragement to idleness, than a promotion to industry," Agricola wrote. Public money was better spent on bounties "because the industrious alone are rewarded; and the indolent deservedly neglected, the surest way to change the habit of indolence and make industry prevail."<sup>42</sup> A few months later the *Gazette* featured "The FOOL," a piece Bushell noted came from "*one of our Customers, who thinks it will make no bad Figure in a Halifax Gazette.*" Its premise was that only a fool would despise wealth, as it is "the glory of *Wealth* to give Birth to Industry, Benevolence, Virtue, Honour, and every social Good."<sup>43</sup> "L.M." submitted a full-page item from the *Boston Evening Post* promoting "Industry, Frugality and the Linen Manufacture," which encouraged patriotism and unity while discouraging individuals from pursuing their own interests at the expense of the public good. The writer of the piece "*seems to have the Good of the Province at Heart,*" L.M. explained, "*and it is to be wished what he has wrote [sic] was more generally spread through the Country.*"<sup>44</sup>

A note, addressed to the printer from "your constant Reader," introduced a contributed story about a French custom of requiring parents to pre-pay for their child's burials at the time of christening, the dubious rationale being it would encourage parishioners to die at home rather than paying for burial elsewhere. "If the Oddity of the following Story will recommend it to your Notice," the reader noted, "it is at your service."<sup>45</sup> When "R.T." asked Bushell to insert "*A Touch on the TIMES; Or, HONORA's*



Address to CUPID,” a long poem extolling the sword as mightier than the pen, the printer was pleased to oblige.<sup>46</sup> A clipping from the *Gentleman’s Magazine* reprinted in January 1754, describing how a pair of bellows was used to revive a drowned child, appears to have been submitted. Bushell, who used it to lead off that week’s paper, added the notion: “As the following may conduce to the Good of many, I hope you will give it a Place.”<sup>47</sup> Some *Gazette* readers offered original material for publication. After the death of Mrs. Cooke, a local woman of some note, Bushell received a letter from his “constant Reader, M.M.” asking him to publish a poem in her honour, “If your next Paper is not fill’d up with Matters of greater Consequence.” It was not, and Bushell made room in the same issue for a second poem lamenting the loss of a woman described as “Of Manners easy, and of Sense refin’d .... The Ornament of fam’d *Chebucto’s* Shore.”<sup>48</sup>

Bushell recognized the public impact of what he published. He offered “an Apology to the Publick” in April 1753 for reporting the previous week that John Connor and James Grace, two men held prisoner by the Mi’kmaq, had escaped by killing six of their captors as they slept. These “Facts having been there misrepresented,” Bushell published a detailed description of the incident based on evidence the men gave at a hearing before a magistrate, an account that made no mention of the natives being killed in their sleep.<sup>49</sup> On another occasion Bushell took it upon himself to correct a rumour “pretty current in Town” that a government sloop had foundered in a recent storm with the loss of its entire crew. The *Gazette* had “the Pleasure to inform the Publick” that a courier had arrived with letters confirming the ship had weathered the storm without incident.<sup>50</sup>

Bushell took on the role of civic booster, praising local achievements and urging

his readers to be thrifty and industrious. Blacksmith George Gerrish received a tip of the hat for building a mechanism for a new sawmill that Bushell considered as well made as any in Holland.<sup>51</sup> The launch of two fishing schooners and an early harvest of oats in the fall of 1752 were considered achievements worthy of note.<sup>52</sup> Given Halifax's poor soil, *Gazette* readers would have been surprised to learn that a barley plant bearing forty-seven stalks of grain had sprouted from a single seed planted in the South Suburbs; barley aficionados who had beheld this wondrous sight, Bushell reported, "declare it to be as large and good as any they have ever seen."<sup>53</sup> One issue featured a long essay instructing farmers in the latest methods to combat grubworms, a vegetable-destroying pest.<sup>54</sup> Like his contributor Agricola, Bushell touted the government's offer of bounties to encourage farming. "The great Encouragement that is offer'd for clearing and manuring our Lands must certainly be a strong Motive to every one to exercise their best Endeavours in order to intitle them to partake of the Benefit of it."<sup>55</sup>

This, however, was wishful thinking on the part of both Bushell and the government. Attempts to turn Halifax into an agricultural centre were doomed to failure. Government bounties and the promotional efforts of Bushell and his contributors could not overcome the poor soil. Agricola's optimistic vision in 1752 of "the plains and country round about [Halifax] covered with grass or grain"<sup>56</sup> never materialized. In 1761 surveyor Charles Morris offered a dismal assessment of what had been achieved in the settlement's first twelve years. The surrounding land was rugged, rocky and "incapable of being improved" for farming, and there was "Not one Family in the Town nor in the parts Circumjacent that subsist[s] by Husbandry." Hay to feed livestock had to be imported from Massachusetts "at excessive prices" and, all told, settlers had managed to clear and

enclose just seventy acres, capable of producing “a few Loads of Hay,” and keep “a few Garden Lotts.” Across the harbour, the settlement of Dartmouth consisted of two families “who subsist by Cutting Wood.”<sup>57</sup>

Bushell covered hostilities with the Mi'kmaq, a politically sensitive story, in some detail. Raids began in September 1749, within weeks of the settlement's founding, when natives ambushed a party of unarmed men as they cut wood, killing four and taking one captive. At least two of the victims were scalped.<sup>58</sup> The winter of 1752-53 was particularly tense, with “dayly Alarms of the Enemy attacking Us – All the Inhabitants constantly under Arms.”<sup>59</sup> The *London Magazine* published lurid accounts of massacres in 1749 in 1751<sup>60</sup> and the Nova Scotia government, struggling to attract settlers and make peace with the natives, did not need more bad press. Yet in August 1752 Bushell reproduced a Boston newspaper report on the release of a man taken captive fifteen months earlier in a raid across the harbour in Dartmouth.<sup>61</sup> A month later he noted that natives at Canso had commandeered a fishing schooner belonging to a Halifax merchant.<sup>62</sup> He also carried an eyewitness account out of Boston that described that attack, in which some fifty native warriors took a number of New England fishermen captive.<sup>63</sup> While Bushell did not hesitate to report the gruesome details of native raids on the American frontier,<sup>64</sup> he was more circumspect when incidents occurred close to home. The *Gazette* revealed in September 1752 that the body of a man, “scalp'd and strip'd naked,” had been found in the woods near Fort Sackville, north of the town.<sup>65</sup> It was not known who was responsible for the brutal act, Bushell reported, even though the attack bore all the hallmarks of a Mi'kmaq raid.

Bushell's subsequent reports were more direct and detailed. In April 1753 the

*Gazette* recounted the harrowing tale of an attack on a schooner outbound from Halifax. Armed natives in a canoe overtook the vessel, killed two crewmen and took captive two others – John Conner and James Grace. The captives were “exceedingly hard used, and under a continual Fear of being kill’d and scalped, and almost famished for want of Provisions,” Bushell reported. They killed and scalped their guards – four men, a woman and a boy – and escaped to Halifax in a stolen canoe.<sup>66</sup> That incident brought swift retribution. The *Gazette* reported in June that natives had commandeered another schooner, this one out of Annapolis Royal, killing and scalping twelve crewmen but sparing the life of the French pilot. A ship’s captain newly arrived from Louisbourg confirmed he had seen scalps of the victims “and heard the Indians declare, that they were determin’d to be reveng’d on the English to the utmost, for the six Indians kill’d and scalp’d some Time since.”<sup>67</sup> A report of a half-dozen settlers killed and scalped appeared a month later.<sup>68</sup>

Bushell shared the anti-French and anti-Catholic prejudices prevalent in the American Colonies and within the Nova Scotia government. He delighted in reprinting items attacking the French King as autocratic and the Catholic clergy as narrow-minded.<sup>69</sup> “*France* is an enslaved country,” a character in a mock play, first published in *The Craftsman*, reminded Bushell’s readers, “and we are a free people.”<sup>70</sup> A June 1753 edition featured a front-page rant, cribbed from the *London Gazetteer*, decrying a growing French influence in every aspect of British life:

we must have French about us: their Fashions, their Garb in wearing them; French Dancing Masters; French Air in our very Countenances; French Legs, French Hats, French Compliments, French Grimaces .... Anything that speaks French is

our Delight ... having made the French Language and Humours universal, I cannot but look upon it as a sad Omen of universal Slavery.<sup>71</sup>

“*France is to England what Carthage was to ancient Rome,*” a writer identified as Britannicus warned in an item reprinted in April 1754, and the “subtle, false, and treacherous” French were “ever plotting” Britain’s destruction.<sup>72</sup>

The *Gazette* monitored events in Europe and America as the threat loomed of a new war with France. Bushell published updates on negotiations to set Nova Scotia’s northern boundary, including a November 1752 item datelined Amsterdam that assured readers their sovereign would not cave in to French territorial demands and would “never consent to give up the Rights of the British Nation, and of his Crown.”<sup>73</sup> He also kept tabs on the growing strength of France’s army and navy, including a report with the jingoistic notation: “BRITONS! *beware, look sharp, take care! See! how the French prepare for WAR!*”<sup>74</sup> During 1754 the *Gazette* was peppered with news of raids along the frontier of the American Colonies, details of atrocities committed by the French and their native allies, and British demands for vengeance.<sup>75</sup> As war became inevitable, the *Gazette* became increasingly strident in its attacks on the French. Bushell found the fodder he needed in American papers<sup>76</sup> and devoted the front page of his February 15, 1755 edition to an essay from the *New-York Gazette* on “our sworn insulting Enemies the *French*.” It was a vicious attack on the French people and the Catholic faith, and the timing – the essay was five months old when Bushell set it in type – was clearly designed to inflame passions as a new war loomed between Britain and France. France’s national religion, “Popery,” was described as “impious ... absurd ... ungodlike,” a “Religion disgraceful to human Understandings” and the “opposite to true Christianity.” Its followers were “the

most ignorant slavish Herd of Bigots,” who blindly followed the dictates of their “priestly Tyrants” and their “arbitrary Government.” Britain and its colonies, in contrast, enjoyed “the heavenly Climate of God-like Liberty.” The writer urged “the Sons of *British Freeman*” to “preserve our holy Religion, our excellent Government, our invaluable Liberties, to the last Drop of Blood.” War was not officially declared until May 1756, but the essay offered an apocalyptic vision of the horrors that could befall New York and other American port cities if the French launched an attack from their stronghold at Louisbourg:

our fighting Men slaughtered or subdued! our Streets streaming with Blood! our Houses in a Blaze! our aged trampled under Foot! Our Wives a Prey to Lust! Our Virgins ravished! Our Infants tore from their Mothers Breasts, and inhumanely dashed against the Walls! These are the Heart-breaking Calamities which we may suffer from a *French* fleet and Army.<sup>77</sup>

This was propaganda and fear-mongering of the first order, and its impact would have been magnified in Halifax. The city was much closer to Louisbourg and far more vulnerable to attack, and as many as 15,000 of the “slavish Herd of Bigots” lived within Nova Scotia’s borders – the colony’s Acadian majority. When the essay appeared acting governor Charles Lawrence was planning a surprise attack that captured Fort Beauséjour from the French in June 1755. By the end of the year he had rounded up and deported more than 6,000 Acadians. The essay’s condemnation of the French echoed the views of Nova Scotia’s political leaders; Lawrence and Belcher, in letters and reports to British colonial officials, depicted the Acadians as untrustworthy and in the thrall of their priests.<sup>78</sup> But these sentiments were widely held, both inside and outside Nova Scotia.

Bushell's former partner, the disgraced Otis Little, had publicly denounced the Acadians as "a colony of French Bigots" as early as 1748.<sup>79</sup> The *Gazette's* well-timed attack on the French could have been published at the government's instigation, but it is just as likely Bushell reprinted the *New-York Gazette* essay because it reinforced his own prejudices and those of his readers. Whatever the motivation, Bushell's *Gazette* became a propaganda tool in the buildup to the Seven Years' War.

Bushell has been accused of suppressing news of a major British defeat in America and the Nova Scotia council's decision to deport the Acadians. Bushell "was living in momentous times," printing historian Eric Haworth noted – times that included the humiliating defeat of Major General Edward Braddock's army in the Ohio Valley in July 1755 and the expulsion of the Acadians. "None of these events," Haworth asserted, "were recorded by Bushell's press."<sup>80</sup> But the *Gazette's* only surviving issue for the summer of 1755 is filled with news of pre-war skirmishes with France. The August 23 edition contained the heartening news – courtesy of a clipping from the *London Magazine* – that the population of Britain's American colonies exceeded one million, leaving the French in North America outnumbered twenty to one. A letter originating in Cape Breton boasted of France's deployment of troops and artillery along the American frontier and declared that Quebec's defences were being readied for a surprise attack, "as we have certain Assurances the English Colonies think themselves authorized to act against us on the offensive, without waiting for the Ceremony of a War in Europe." Those attacks were under way – a more recent item out of New York traced the progress of Massachusetts' Governor William Shirley's army as it prepared to attack the French trading post at Niagara. There were other reports of the massacre of settler families, the "great Confusion

and Turment” on the Pennsylvania frontier, and urgent efforts to raise money and troops for the coming war. Word of Braddock’s defeat at Fort Duquesne – French forces and their native allies mounted a surprise attack that killed the general and almost five hundred British and American soldiers – had reached Halifax in early August.<sup>81</sup> The *Gazette*’s August 23 edition included an item out of Boston that discussed plans to avenge “the Defeat” and “the Loss,” and the possibility of mounting a second attack on the French stronghold.<sup>82</sup> Clearly, readers had been told of Braddock’s defeat in an earlier issue.

Closer to home, the August 23 issue included a brief – albeit vague – reference to preparations for the expulsion. “Last Saturday,” Bushell reported in the paper’s Halifax section, “our Fleet of Transports, convoy’d by one of his Majesty’s Ships of 20 Guns, sail’d from this Place for the Bay of Fundy.” Bushell does not appear to have been intentionally concealing the fleet’s purpose. At that point only a small circle – Lawrence, his councillors, government officials, high-ranking military officers, and perhaps the captains of the vessels – knew the ships were headed to Chignecto to pick up the first of the Acadians to be deported. The council had ordered the Acadians deported on July 28, on the pretext of their refusing to take an oath of allegiance to the British, but the operation was cloaked in secrecy. Lawrence ordered Lieutenant-Colonel Robert Monckton, the officer in charge at Chignecto, to keep the deportation plan “as secret as possible.”<sup>83</sup> Monckton took about four hundred Acadian men and boys into custody on August 11, but the group was not told the entire population would be expelled from the colony.<sup>84</sup> The deportation order was not announced to residents of the largest Acadian settlement, Grand-Pré, until September 5. Despite Lawrence’s precautions, word leaked



out. On August 25 – two days after Bushell noted the departure of the fleet of transports – the *New York Gazette* published an anonymous letter from Halifax revealing the Nova Scotia government’s “great and noble Scheme of sending the neutral French out of this Province.” The letter, dated August 9, predicted that, if the Acadians’ fine farmland could be resettled with “good English Farmers,” the deportation would be seen as “one of the greatest Things that ever the English did in America.” Papers in Pennsylvania, and Maryland republished the letter the following month.<sup>85</sup>

It is possible – if impossible to prove – that Bushell published the “great and noble Scheme” letter in an issue of the *Gazette* that has disappeared. In any event, he reported details of later efforts to round up the Acadians. The December 9, 1758 edition – the only remaining issue for the years 1756 to 1761 – included an account of a follow-up operation against Acadian refugees who had escaped deportation. A report out of Boston told how British troops had destroyed the Acadian settlement of Sainte-Anne on the Saint John River, near present-day Fredericton. Forty houses were burned, “a great Number” of cattle were slaughtered, a captured English vessel was recovered and some of the inhabitants were taken prisoner. The report was sanitized and incomplete: the commander of British forces in North America privately condemned the slaughter of “women and innocent children” at Sainte-Anne, and French records confirm that two women and four children were murdered and scalped. But these brutal facts would not be revealed until much later, through the work of historians,<sup>86</sup> and would have been unknown to Bushell – and perhaps the report’s author as well.

Bushell’s newspaper helped create and expand the public sphere in early Nova Scotia. The *Gazette* served a community that was more worldly and literate than one

might expect of a frontier settlement not yet three years old when the paper debuted. It brought the world to the settlement, serving up weekly helpings of foreign news, literary works, humorous and satirical sketches, and essays exploring the politics and social mores of the times. It instructed and enlightened and, at times, pandered to the fears and prejudices of its readers. Bushell welcomed contributions – original compositions as well as extracts his readers had gleaned from other publications – that injected personality and a sense of community into the paper. Government officials, ordinary readers and even Bushell himself understood that hosting a newspaper altered Halifax in subtle ways. People could discuss with authority the affairs of distant kingdoms or what was considered fashionable in London. Readers and coffeehouse patrons could speculate on the meaning of news items and government announcements. What had been private business was now the public's business.

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### Endnotes

<sup>1</sup> J.S. Martell, "The Press of the Maritime Provinces in the 1830s." *Canadian Historical Review*, vol. 19 no. 1 (March 1938), 26-7.

<sup>2</sup> T.B. Akins, ed., *Selections from the Public Documents of the Province of Nova Scotia* (Halifax: Charles Annand, 1869), 506-57. The large number of wigmakers is noted in Thomas G. Barnes, "'As Near as May be Agreeable to the Laws of this Kingdom': Legal Birthright and Legal Baggage at Chebucto, 1749," in Peter Waite, Sandra Oxner and Barnes, eds., *Law in a Colonial Society: The Nova Scotia Experience*. (Toronto, Carswell, 1984), 22.

<sup>3</sup> Cornwallis to Lords of Trade, July 24, 1749, reproduced in Akins, *Selections*, 565.

<sup>4</sup> See William Paget's death notice in *Gazette*, March 30, 1752.

<sup>5</sup> Drawn from the entry for "Literacy" in Stephen Brumwell and W. A. Speck, eds., *Cassell's Companion to Eighteenth Century Britain* (London: Cassell & Co., 2001), 223-4.

<sup>6</sup> Paul Starr, *The Creation of the Media: Political Origins of Modern Communications* (New York: Basic Books, 2004), 52. Kenneth A. Lockridge's study of signatures on wills confirms this literacy level for men but suggests that, by 1750, only forty-five per cent of women could read and write. Lockridge, *Literacy in New England: An Enquiry into the Social Context of Literacy in the Early Modern West* (New York: W. W. Norton & Co., 1974), 38-9.

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<sup>7</sup> Brumwell and Speck, 224.

<sup>8</sup> Tabulated from a list of settlers in Akins, *Selections*, 506-57.

<sup>9</sup> Jeffrey L. Pasley, "*The Tyranny of Printers*": *Newspaper Politics in the Early American Republic* (Charlottesville and London: University Press of Virginia, 2001), 24.

<sup>10</sup> *Gazette*, June 27, July 11, 1752.

<sup>11</sup> Nova Scotia's first institution of higher learning, King's College in Windsor, opened its doors in 1789 and legislation was introduced after 1811 to establish a grammar school in each county and a common school in every community. D.C. Harvey, "The Intellectual Awakening of Nova Scotia," in G.A. Rawlyk, ed., *Historical Essays on the Atlantic Provinces*. (Toronto: McClelland & Stewart, 1967), 118.

<sup>12</sup> Akins, *Selections*, 512, 540-1.

<sup>13</sup> *Gazette*, March 23, 1752.

<sup>14</sup> *Ibid*, March 30, 1752.

<sup>15</sup> *Ibid*, April 6, 1752, June 29, 1754.

<sup>16</sup> *Ibid*, December 22, 1753, November 16, 1754.

<sup>17</sup> See obituary notice reproduced in J.J. Stewart, "Early Journalism in Nova Scotia," *Nova Scotia Historical Society Collections*, vol. 6 (1888), 115.

<sup>18</sup> Akins, "History of Halifax City," *Nova Scotia Historical Society Collections*, vol. 8 (1892-94), 42.

<sup>19</sup> Subscription libraries were established in Yarmouth and Pictou in 1822 and the Halifax Public Library opened two years later. Harvey, 118.

<sup>20</sup> *Gazette*, October 14, 1752.

<sup>21</sup> J.S. Macdonald, "Richard Bulkeley 1717-1800," *Nova Scotia Historical Society Collections*, vol. 12 (1905), 59-60, 66.

<sup>22</sup> *Gazette*, June 30, 1753.

<sup>23</sup> *Ibid*, August 17, 1754.

<sup>24</sup> Akins identifies the marquis as an immigrant from the Azores and from the West Indies. Winthrop Pickard Bell's research, however, determined he was part of group of settlers temporarily stranded in the Azores on their way to Halifax from England. Akins, "History of Halifax," 32, 251; Bell, *The "Foreign Protestants" and the Settlement of Nova Scotia: The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Toronto: University of Toronto Press, 1961), 211.

<sup>25</sup> *Gazette*, September 28, 1754.

<sup>26</sup> *Ibid*, June 15, 1754.

<sup>27</sup> Bushell sold the 1753 and 1754 editions of the almanac, and likely others. *Ibid*, March 24, 1753, December 1, 1753.

<sup>28</sup> See, for example, quotations used to introduce essays and poetry reproduced in the editions of May 23,

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30, October 14, 1752, March 10, 17, 1753, February 9, 1754.

<sup>29</sup> Ibid, February 2, 1754.

<sup>30</sup> Ibid, August 11, 1753.

<sup>31</sup> Ibid, October 20, 1753.

<sup>32</sup> George Mullane, "Old Inns and Coffee Houses of Halifax," *Collections of the Nova Scotia Historical Society*, vol. 22 (1933), 1.

<sup>33</sup> *Gazette*, April 25, 1752.

<sup>34</sup> Akins, "History of Halifax," 30.

<sup>35</sup> Clarke's establishment operated under the name of the New York, New England, Rhode Island and Nova Scotia Coffee House. Ibid, June 22, 1754.

<sup>36</sup> Mullane, 1-2, 5-6, 10-11; Akins, "History of Halifax," 44-5. Advertisements to rent the vacant Mairmaid tavern began appearing in the *Gazette* on April 21, 1753.

<sup>37</sup> Pasley, 24-5.

<sup>38</sup> William Cotterell to Thomas Saul, March 21, 1755. Letter Books of Nova Scotia's Governors and Provincial Secretaries. Nova Scotia Archives and Records Management, RG 1 vol. 134, 332-3.

<sup>39</sup> Cotterell to Saul, March 21, 1755, *ibid*, 335-6.

<sup>40</sup> The council found Monk guilty of "high indignity and contempt" and advised his removal from the posts of justice of the peace and justice of the court of the Inferior Court of Common Pleas. Beamish Murdoch, *A History of Nova Scotia, or Acadie* (Halifax: James Barnes, 1865), vol. 2, 385.

<sup>41</sup> *Gazette*, September 8, 1753. Fallon's lawyer, William Nesbitt, witnessed the declaration and presumably advised him to make the public apology.

<sup>42</sup> Ibid, May 30, 1752. The bounties, funded by a duty on the importation and sale of liquor, were announced in a proclamation published in the *Gazette's* April 13, 1752 edition. Landowners who cleared, fenced and sowed their plots within twelve months qualified for a payment of twelve shillings for each acre of improved land. There were also bounties for grain, hay and flax produced.

<sup>43</sup> Ibid, September 23, 1752.

<sup>44</sup> Ibid, October 6, 1753.

<sup>45</sup> Ibid, February 10, 1753.

<sup>46</sup> Ibid, February 23, 1754.

<sup>47</sup> Ibid, January 13, 1753.

<sup>48</sup> Ibid, March 1, 1755.

<sup>49</sup> Ibid, April 28, 1753. Bushell's initial report appeared in the April 21 edition. His corrected version accurately reflects the formal statement Connor and Grace made to the council on April 16. See Akins, *Selections*, 694-6.

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<sup>50</sup> *Gazette*, October 20, 1753.

<sup>51</sup> *Ibid*, January 27, 1753.

<sup>52</sup> *Ibid*, September 23, 1752.

<sup>53</sup> *Ibid*, August 29, 1752.

<sup>54</sup> *Ibid*, April 14, 1753.

<sup>55</sup> *Ibid*, July 25, 1752.

<sup>56</sup> *Ibid*, May 30, 1752.

<sup>57</sup> Charles Morris, "Description and State of the New Settlements in Nova Scotia in 1761," *Report Concerning Canadian Archives for the Year 1905*, vol. 2. (Ottawa: Public Archives of Canada, 1906), App. F, 290-1.

<sup>58</sup> The incident occurred on September 30, 1749 and was described in Cornwallis to Lords of Trade, October 17, 1749 and Cornwallis to Duke of Bedford, October 17, 1749, reproduced in Akins, *Selections*, 591, 593.

<sup>59</sup> Letter, John Salusbury to Hetty Salusbury, March 1752, reproduced in Ronald Rompkey, ed., *Expeditions of Honour: The Journal of John Salusbury in Halifax, Nova Scotia, 1749-53* (Newark: University of Delaware Press, 1982), 153.

<sup>60</sup> *Ibid*, 39-40.

<sup>61</sup> *Gazette*, August 22, 1752.

<sup>62</sup> *Ibid*, September 23, 1752.

<sup>63</sup> *Ibid*, September 30, 1752.

<sup>64</sup> See, for instance, various accounts out of Virginia of scalping and acts of cannibalism committed by natives allied with the French, which appeared in the December 30, 1752 edition.

<sup>65</sup> *Ibid*, September 30, 1752.

<sup>66</sup> *Ibid*, April 21, 28, 1753.

<sup>67</sup> *Ibid*, June 30, 1753.

<sup>68</sup> *Ibid*, July 14, 1753.

<sup>69</sup> See, for instance, items published in the *Gazette's* British Prints section, January 6, 1753, and the Foreign Advices section, September 1, 1753.

<sup>70</sup> *Ibid*, December 8, 1753.

<sup>71</sup> *Ibid*, June 2, 1753.

<sup>72</sup> *Ibid*, April 27, 1754.

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<sup>73</sup> Ibid, March 24, 1753.

<sup>74</sup> Ibid, March 31, 1753.

<sup>75</sup> Ibid, March 2, April 27, June 29, July 6, August 10, October 5, November 16, 1754.

<sup>76</sup> The Boston *News-Letter* and *Post-Boy* published similar anti-French propaganda in the fall of 1754. See George A. Rawlyk, *Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relations, 1630-1784* (Montreal and London: McGill-Queen's University Press, 1973), 201.

<sup>77</sup> *Gazette*, February 15, 1755.

<sup>78</sup> See Lawrence's letter to the Lords of Trade and Plantations, August 1, 1754, reprinted in Akins, *Selections*, 212-4; and Belcher's opinion on the legality of deporting the Acadians, reprinted in *Report Concerning Canadian Archives for the Year 1905*, vol. 2 (Ottawa: Public Archives of Canada, 1906), 63-5.

<sup>79</sup> Otis Little, *The state of trade in the northern colonies considered; with an account of their produce, and a particular description of Nova Scotia* (London, 1748), cited in W.S. MacNutt, *The Atlantic Provinces: The Emergence of Colonial Society* (Toronto: McClelland & Stewart, 1965), 44.

<sup>80</sup> Eric Haworth, *Imprint of a Nation* (Toronto: Baxter Publishing Co., 1969), 35-6.

<sup>81</sup> Charles Lawrence to Robert Monckton, August 8, 1755, in Akins, *Selections*, 269. A ship from New York brought news of Braddock's defeat to Halifax on August 7. Lawrence ordered Monckton "to use your utmost endeavours to prevent, as much as possible, this bad news reaching the ears of the French inhabitants."

<sup>82</sup> For more on Braddock's defeat and other British offensives in North America in 1755, see W.J. Eccles, *France in America* (New York: Harper & Row, 1972), 182-5.

<sup>83</sup> Lawrence to Monckton, July 31, 1755, in Akins, *Selections*, 268.

<sup>84</sup> The order confining the men and boys of Chignecto, as recorded by the commander of the New England troops who captured Fort Beauséjour, made no mention of the impending expulsion. "Journal of Colonel John Winslow of the Provincial Troops, While Engaged in the Siege of Fort Beausejour," *Nova Scotia Historical Society Collections*, vol. 4 (1885), 227.

<sup>85</sup> As reproduced in John Mack Faragher, *A Great and Noble Scheme: The Tragic Story of the Expulsion of the French Acadians from their American Homeland* (New York: W.W. Norton & Co., 2005), 333.

<sup>86</sup> Ibid, 405. The attack's death toll is also recorded in W.O. Raymond, *History of the River St. John* (Saint John: 1905). Writing more than two centuries after the incident, one historian was still reluctant to acknowledge the massacre at Sainte-Anne. W.S. MacNutt noted that soldiers involved in the raid demonstrated "they were very facile in the barbarities attendant upon warfare with the Indians," but did not elaborate. MacNutt, 49.

## Conclusions

### Canada's First Newspaper and the Limits of State Control of the Press

John Bushell, the first newspaper publisher in what would become Canada, was less dependent on the goodwill and financial support of Nova Scotia's colonial administrators than has been previously thought. The man who established the *Halifax Gazette* in 1752 has been portrayed as a docile servant of government, too reliant on state-commissioned printing work to risk publishing anything that might offend those in power. An analysis of the contents of the surviving 114 editions of the paper published during his nine-year tenure, however, challenges these assumptions. While Bushell was subject to official censorship, control of his press was far from absolute. More than a half-century after Britain abandoned its system of press licensing, the Nova Scotia government was unable to fully control what appeared in the pages of the *Gazette*. Bushell's paper toed the official line on many local issues, yet dabbled in political and social commentary and parroted the anti-Whig rhetoric of Britain's opposition press. Remarkably, it exposed the growing rift between Nova Scotia's military-dominated government and a merchant class that demanded New England-style representative government. By providing a forum for political commentary and criticism, the *Gazette* made a contribution – albeit a modest one – to the moulding of public opinion. Bushell's newspaper enhanced and influenced civic life in other ways as it disseminated official announcements, local and foreign news, literary works and opinions on an array of subjects. These contributions to the development of a public sphere in early Nova Scotia, too, have been overlooked.

By the middle of the eighteenth century, when the *Halifax Gazette* began

publication, Enlightenment thought and free-press ideology had gained acceptance in Britain and America. The authoritarian model of press control was outmoded and the power to license the press, bestowed when the older American colonies were founded, was no longer available to the Nova Scotia government. Nor was Bushell a typical colonial newspaper proprietor. Unlike the men who founded the first paper in many American Colonies, he was not a postmaster or other government appointee. The *Gazette* and its associated printing business were private enterprises established with private capital. While he styled himself “Printer to the Government,” this unofficial title carried no salary and attracted less printing work to his shop than has been assumed. As for the *Gazette*, government notices accounted for a small portion of its contents. The colonial government was an important customer, but it did not take on the role of Bushell’s patron or protector. Nova Scotia’s only printer was expected to make his own way in the world, and his often-perilous finances made it a rough road to travel. The newspaper, rather than government work, appears to have been the one consistent source of revenue on Bushell’s balance sheet as he struggled to make ends meet.

Denied the authority to licence the press, the Nova Scotia government deployed its provincial secretary to act as censor. Bushell’s relationship with secretary William Cotterell was such that the latter boasted the *Gazette*’s publisher would not print a controversial submission “without shewing it to me.” Bushell dutifully published official announcements, speeches and proclamations; he lauded government policies, touted ill-fated initiatives to develop agriculture and fanned hatred of the French with the fervour of a propagandist. He downplayed or ignored newsworthy events – the crackdown on the French priest Henri Daudin, Ephraim Cooke’s allegations against the justices, the Hoffman Rebellion – that might embarrass the government or undermine its authority. He



refused to publish at least one submission calculated, as he saw it, to create political divisions within the community.

This mechanism of control, however, was neither effective nor absolute. Bushell showed flashes of independence: He had some leeway to publish information that reflected badly on the government, and he did. He published reports on Mi'kmaq raids, sometimes in gruesome detail, even though they would have hindered efforts to attract settlers. He reprinted social and political commentary from British and American newspapers and mined Britain's opposition press for criticism and satires of the home government. The *Gazette's* faithful readers found in their paper confirmation of the schism between British placemen and New England populists within Halifax society, and criticism of Nova Scotia's military-dominated government. That they found so little published on these subjects speaks more to the political realities of 1750s Nova Scotia than to Bushell's courage or skill as a printer and publisher. At a time when the British press was openly partisan and competing papers were beginning to offer American readers a diversity of viewpoints, he was subject to an authoritarian regime that would not tolerate defiance or dissent. Bushell produced a paper that was more forceful and freer of government control than historians have previously supposed. Given the time and the place it was, perhaps, as forceful and independent as could be expected.

John Bushell took to heart most – but not all – of the advice dispensed by Y.Z., his first correspondent. His *Halifax Gazette* supported measures designed “for the Good of the Province” and “to promote Virtue and Industry.” Much of what appeared in the *Gazette's* pages was, indeed, “laudable.” Like any newspaperman, Bushell at times betrayed a fondness for “Lampoons ... shallow brain'd Politicians” and “underwitted Poets.” At the same time, he enhanced Nova Scotia's nascent public sphere with “papers

that treat of Humour and Wit” while keeping the *Gazette*’s contents “within the Bounds of Decency and Morality.” The law of libel ensured Bushell avoided “Invectives against particular Persons,” as Y.Z. had hoped. An ineffective system of government censorship, however, failed to prevent him from reporting on some of the “Broils and Disputes” of his times.

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