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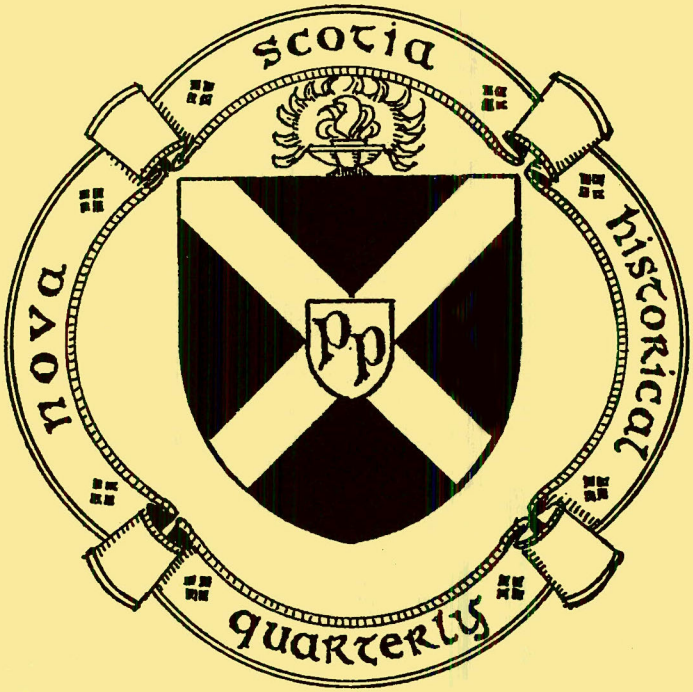

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The Laws of Pictou

ROLAND H. SHERWOOD

THE LAWS OF Early Pictou were, by our present standards, severe in the extreme. In some cases extremely severe, but not always consistent. For instance: in 1798 several citizens were summoned to appear at a special meeting of the local magistrates. That meeting was held in John Patterson's store, and he was paid a fee for the use of the store space. This meeting was called to inquire into a breach of the law regarding the "retailing of spirituous liquors." Possibly without a license, as "spirituous liquors" could be had at the many taverns and over the counters of the grocery stores. The outcome of that meeting was not recorded. Possibly the sellers received a small fine, and went back to getting their "spirituous liquors" from the illicit stills set up in the surrounding woods. There was always a ready market for this cheap liquor, for there were many unsteady feet tramping between taverns, where the price was high, and the sly, unprincipled sellers of rot-gut rum at the back of the taverns, where the prices were lower.

Not many of those illicit whiskey and rum sellers were caught, and when there wasn't any money from a thirsty buyer, clothing and stolen articles were taken in payment. Even the poor folks mortgaged themselves to the eyes for the rum they craved.

There was one case that was different, as this item from a report of the Grand Jury shows: "On presentation of ye Grand Jury, it is ordered that J. D. be summoned, to attend the General Sessions of the Peace, to give account of his conduct, for the retailing of spirituous liquors, contrary to the intent and meaning of the laws of the province, as appears by the evidence, on the trial of three negroes on the 18th of January, 1797, for petty larceny, one of said negroes having carried a pawn or pawns to the house of said J. D. on the Lord's Day, and in exchange thereof, received spirituous liquors to a small amount in proportion to the article lodged." No record can be found of the sentence meted out to the said J. D., but whatever it was, it most certainly was trifling compared to the sentence handed out to the three negroes, one of which had taken a piece of clothing from a house where he was a handyman, and swapped it for liquor. How the other two negroes became involved is not known, or for whom they worked. It didn't matter, the court handed out severe sentences to all three, two of whom were women.

At the January Sessions of the Peace, 1797, District of Pictou, the following was recorded: "The King vs. Peter Tarbett, Sophia Tarbett and Hannah, alias Rose, negroes, for petty larceny. The prisoners having been brought forward and arraigned at the bar, witnesses sworn and interrogated, the court having considered the evidence, and the parties having been found guilty, do adjudge the whole of them be stripped naked from the middle upwards and receive as follows, viz: Peter Tarbett, thirty-nine lashes, Sophia Tarbett, thirty-nine lashes, and Hannah, alias Rose, thirty lashes on the naked body by the hands of the proper officers, and be thence committed to prison, until the Court thinks it practicable to banish them out of the district, it being now an intense season." On that January day, the 18th. in 1797, there was another record made. It read: "Issued unto James Crocket, William Robertson and William Fraser, constables, to take

the three negroes and strip them from the middle upwards, and whip them as specified in the sentence, etc., etc., which warrant was returned executed to-day."

The "whipping post", which was a large cannon wheel on Coleraine Street, was out of doors and public. On that January day, it must have been one in that "intense season" for stripping the prisoners, which according to the record was carried out on the same day they were found guilty and sentenced. Early justice in Pictou moved with surprising speed.

But the whipping of the three negroes by the three constables wasn't carried out as planned and ordered. A further note in the court records stated: "William Fraser, one of the constables, who being appointed to assist in whipping the negroes, refused to assist, was fined by the court the sum of forty shillings." That court record was signed by, "Thomas Harris, junr, D'y Clerk Of The Peace."

Back in the late 1700's there was no regular court house in Pictou, so rooms in private houses, and sometimes one or two of the better taverns, were used. There are records which show that a citizen, Patrick McKay, was paid five shillings "for the use of his house for a Grand Jury Room." and that, "Edward Mortimer, Esquire, be paid the sum of twenty shillings for the use of his home as a Court House, cuttin' and hauling fire-wood, putting on fires, etc., etc.,"

In the year 1792 Pictou was set apart from Colchester as a separate district, and local authorities immediately set about the erection of a jail, despite the opinion of the Rev. James MacGregor, pioneer minister to the District, that, "as for lawyers, there was such a good neighborhood, that we never expected to need a lawyer or a court house."

That first jail was built on Water Street, now the main business section of Pictou. Later, after a better jail was built elsewhere in the town, James D. B. Fraser and Sons occupied

a building on the jail site, and it was here that James D. B. Fraser manufactured the first substance known as chloroform —the first in Canada.

Pictou's first jail was built solidly. The lower part was built of stone, with grated windows at ground level. The upper part was of logs, clap-boarded on the outside. There were rooms for the jailor in the rear, and a lock-up for prisoners at the front. In the basement were the cells in which the criminals were confined, the more desperate in irons.

Despite these restrictions on the freedom of the prisoners, it seems that one inmate, named in the record only as "Mirian" wasn't too pleased with his accommodations and showed his resentment by breaking one of the jail locks. Old records state, "To taking of and reparing and putting on the Gail lock, broke by Marian, three shillings six pence." Mr. Marian, prisoner, must have broken more than one lock, or the authorities decided to have stronger ones, for an old record states, "to one Double Paddlock replaced for 1 destroyed by Mr. Marian. .4 shillings." One wonders what penalty was meted out to "Mr. Marian" for destruction of jail property.

John Patterson, who was known as the Father of Pictou, as he laid out the first street, built that first jail on the street he cut from the wilderness in 1788. And he built it for the sum of 87 pounds.

The first stocks were built in front of the jail, and for many years were used for the punishment of offenders; not the hardened criminals in the jail, but for those with lesser defaults of the law, such as walking about on Sunday when Church services were on, or for the man of the house who did not attend church, or have his family attend. The stocks were for those who slept in Church, and often held those who were drunk on the streets, disorderly, or for swearing in public. There is a fallacy in Pictou that has been believed for years

that it was against a local law for a man to kiss his wife on Sunday. In a long search of past records, no such law could be found. But it makes an interesting story. The magistrates of Pictou were always on the lookout for law breakers, and the record kept by the court recorders shows that in 1800, "an inquery be made into the conduct of Mrs. G. for keeping a house of bad fame, as reported." Or, "That A.M. be fined the sum of two shillings for swearing, the same to be used for the poor, and also that J. H. be fined in the sum of two shillings for most notorious swearing." It seems that the magistrates didn't differentiate between just "swearing" and "most notorious swearing."

In the court record kept in the year 1804, there is this: "That G. P. and A. G., young men in this place, who lead immoral and scandaleous lives, such as getting drunk, cursing, blaspheming the name of God, fighting and insulting sober people, be bound over to keep the peace from this July term, 1804." Apparently they didn't get sentenced to the stocks. Another item in the record states; "It is ordered that A. C. and D. L. be fined in the sum of five shillings each for being intoxicated with liquor and swearing."

The local authorities apparently had enough of the rougher element in town without permitting more to enter. In 1801, the record shows this; "Also presented and ordered, that the laws of his province concerning vagrants, be duly put in execution, and that no person of a suspicious character be allowed to come into the district without producing a proper certificate." One wonders, who would give a "suspicious character" a proper certificate- Unless, of course, it was the authorities in another district wishing to make quick shift of worthless persons.

The making of stocks seems to have occured quite frequently in those early days in Pictou, whether it was from natural rot of the exposed wood, or breakage from a lawless

time, so, later, another order was issued authorizing the bare floor be covered with four inch pitch pine plank. "With pitch pine sleepers laid upon stone, the sleepers to be four inches thick and six inches deep, five in number, the planks to be spiked to the sleepers with spikes eight inches long." The outside of the upper part of the jail was given an improved appearance with clap-boards.

In the early days of Nova Scotia the principal instruments of justice were the rope, the pillory, the whipping post, the dunking stool and the branding iron. No record can be found that the dunking stool and the branding iron were ever used in Pictou. The dunking stool was used for gossips. Such unfortunates were tied in a chair at the end of a long pole, the whole being located on a wharf. Then, the gossip was dunked three times in the water, and had to cry out, "I believe!" on each upswing. At the end of the third dunking, one of the Church wardens who supervised the punishment, would ask, "And what do you believe?" There is a story that a woman gossip who had been dunked, answered the question, "What do you believe?" with a shouted, "I believe you're trying to drown me!"

The branding iron was heated red hot and placed against the thumb of the prisoner for as long as the unfortunate person could repeat, "God Save The King" three times in succession! Each branding iron had a different letter. "F" for felony; "T" for thief, and "M" for manslaughter.

The leading magistrates of the County of Pictou for many years were Hugh Denoon, Robert Pagan, John Dawson, Nicholas P. Olding and Edward Mortimer, esquires, and it was this group who sentenced the three negroes, one man and two women, to be given lashes on the bare back. The usual practice in whippings was to pickle the lash in brine, but there is no record that such was carried out in the whipping punishments in Pictou.

In the early days no legal minds presided over the Inferior Court, or Court of Common Pleas. The magistrates were laymen, doing the work of the courts, with the exception of major criminal cases. It was not until 1824 that an Act was passed appointing a lawyer to be the presiding judge, and President of the Court of Sessions. This Act wasn't at all popular with the magistrates, as formerly they were the judges. Even with the appointment of a lawyer as the presiding judge, it was required that he be aided by two lay magistrates.

The first meeting of the Supreme Court of Nova Scotia, held in Pictou, was on the second Tuesday of June 1806. George Henry Monck was the presiding judge. Supreme Court was held once a year until the year 1816 when June and September were the months for Supreme Court.

In 1806 there was no court house as such in Pictou, and the first sittings were held in a building on the west side of George Street, known as the Dr. Kirkwood building. To consider their verdict, the jury moved to a tree-shaded plot known as McGeorge's pasture, near where the present St. James Church now stands.

The first court house was not erected until 1813, the cost of the land being 30 pounds, so the first trial for murder was held in what became First Presbyterian Church, but was then known as Prince Street Church, which was erected in 1805-06.

That first murder trial revolved around the person of a man by the name of McIntosh who shot and killed his benefactor, Dougald McDonald, on the 26th of May, 1811. McIntosh had been a trader, went bankrupt and his creditors had him arrested. His friend, Dougald McDonald had gone his bail, but McIntosh had failed to appear in court at the appointed time. McDonald went to the house where McIntosh was staying, and when McIntosh failed to come out when

called upon, McDonald took a crowbar to break in the door. As McDonald entered the house, McIntosh shot him and he died within the hour. A warrant was issued for McIntosh's arrest. All were afraid to approach him as he threatened to shoot anyone approaching. Finally, he left the house, climbed under the wharf, and was taken by a Man-of-war sailor named John Sylvester.

McIntosh went on trial for murder on the 5th day of August, 1811, with Judge George Henry Monck presiding. R. J. Uniacke, the Attorney-General, conducted the case for the Crown. The prisoner was defended by Brenton Haliburton and Chipman. Their defense was that a man's house was his castle, and his right was to defend it against anyone trying to break in. Despite an excellent defense, McIntosh was found guilty of murder and sentenced to be executed. Before the date of his hanging arrived, George III was celebrating his Diamond Jubilee, and all prisoners under sentence of death were pardoned. McIntosh went free. During his imprisonment he sent word every Sunday to the Church with a request for prayers. These were given. But when he was pardoned, he hung around Pictou trying out various schemes. But no one would listen to him, so finally he went to Saint John, where he died in the backwash of Saint John Harbor. This time no prayers were said by the Church people of Pictou for the peace of his soul.

Mysterious Henry

BARBARA GRANTMYRE

A clipping in an old scrap-book, February, 1884, reads:

"On Tuesday last the 12th. instant there died at Upper Rawdon, Hants County, Eleanor, the wife of Asa Parker, a most respectable citizen and the only daughter of the celebrated Henry Moore Smith. Her mother is still living, though 90, with the son by her second husband, Mr. Custan of Rawdon Corner. With the old settlers no name excited more extraordinary interest as that of Henry Moore Smith. To this day there are thousands of people who believe he possessed the power to work miracles; that he would break a horse as if it were straw; that he could make animate puppets by simply standing them on the floor of his cell. He is about the only fabulous person in Nova Scotia history: and if it would not be painful to the relations still surviving an effort should be made to get at the truth of his wonderful story. He was in jail in Kingston, N.B. Worcester and other places in the U.S.A."

Poor Eleanor! Outshone even in her obituary by a father she never knew. How could she know him? She was an infant when he left Nova Scotia, chased by a sheriff with a warrant for his arrest, and as far as we know, never returned to his wife and child. We can be sure that all her life his daughter suffered from the stigma of her birthright. Only two

things are recalled about Eleanor, her marriage was unhappy and 'she was a wonderful mimic. Could take off anybody so real you'd swear they was there.'

Henry was a man of many names and many roles. When he arrived in Windsor, N.S. in 1812, he said his name was Frederick Henry More, a tailor by trade, come recently from England. Later on he went by other names, Henry Hopkins, Henry More Smith, William Newman, Henry Gibney, among them and the one he told Sheriff Bates was his true name, Henry Moon. Far easier to stick to Henry and forget the aliases.

Henry spent two years in Nova Scotia, 1812-1814, during which he married Elizabeth, the daughter of John Bond, Loyalist and man of substance in Rawdon, Hants County; fathered their only child, Eleanor; and planted the seedlings that grew into a forest of folklore. Yet he might have been forgotten. The most colourful figure fades into obscurity if preserved by word of mouth alone, so it was happy chance that Walter Bates, High Sheriff of Kings County, New Brunswick, decided to chronicle what he knew of Henry's career. This he published under the title THE MYSTERIOUS STRANGER; or Memoirs of Henry More Smith; alias Henry Frederic Moon; alias William Newman, etc. pp. 108, Maltby, Goldsmith & Co. New Haven, 1817. Only one copy of this book is known to exist today. It is in the British Museum. A London edition of 1817 (probably pirated) printed for Allman and Co., Princess Street, Hanover Square, London, Oct. 8, 1817, is now in the Ganong Library, New Brunswick The book has been re-printed many times. My own copy, seventh edition, is dated 1912.

After their marriage Henry and Elizabeth lived in Windsor, N.S. about 45 miles from Halifax. Here Henry set up as a tailor-pedlar, doing very well at first. He made frequent trips to Halifax, always returning with a full pack of goods of

every description. Nobody seemed to think it unusual . . . until later . . . that he left home in the forenoon and got back next morning. The journey over a poor road would take considerable time, it would be evening before he got to Halifax and he would need to travel most of the night to return to Windsor by morning. Strange business hours for a pedlar; good ones for a thief. And a clever thief was at work in Halifax. Houses were ransacked and robbed; silversmith's shops lost watches and other valuables; and three volumes of late Acts of Parliament were missed from the office of Chief Justice Strange. The Chief Justice wanted his books so he offered a reward of three guineas and 'no questions asked'. In a few days Henry returned them, explaining gratuitously that he had bought them from a stranger. He got the money plus the first suspicion that he himself was the thief.

As a pedlar he was suspected, as a tailor his guilt was proved.

Whenever I have asked for tales of Henry the first thing said is 'he could sew a man's coat in a single night.' An impossible task without supernatural help is the implication. Yet consider the times. Theft was a serious crime in those days with death by hanging the penalty. If you bought a coat from Henry it was wiser to pretend he had made it to order than take it for what it was—a second-hand garment stolen from Halifax gentry. Surely the subterfuge fooled no one at the time. Grease spots and dandruff were as telltale then as now, but over the years the polite fiction has become fact while the reason for it is forgotten. We don't know how many coats Henry 'made' this way but it was one too many.

His customer, a young man from Windsor, wore the coat to Halifax where it was seen, recognized and claimed by a resident of the city. The young man was hauled into court and told his story. Henry had promised to make him a coat, had taken his measure and after a visit to Halifax had shown

him a bolt of fine cloth from which, in due course, he had . . . so the young man supposed . . . fashioned the garment. The young man, satisfied, paid for the coat, wore it to the city with dire results. So a special warrant for the arrest of Frederic Henry More was issued and before it could be delivered Henry, on horseback, had escaped leaving wife Elizabeth and baby daughter, Eleanor, behind in Windsor.

Early in the month of July, 1814, Henry arrived at Saint John, New Brunswick, no longer 'Frederic Henry More' but 'Henry More Smith'. He soon scraped acquaintance with the officers of the 99th. Regiment and entered into a bargain with one of them, Colonel Daniel. The Colonel's carriage was drawn by a pair of different coloured horses, one of them black. Henry said he knew of a black horse in Cumberland that would be a perfect match for the Colonel's. If the Colonel would advance fifteen pounds Henry would leave his own horse as pledge, take passage on a sloop bound for Cumberland county and bring back the black horse. If satisfied the Colonel would buy the horse for fifty pounds. The Colonel agreed. Nobody seems to have wondered how Henry could acquire an animal worth fifty pounds with a working capital of fifteen. They took it for granted Henry had the means to buy the Cumberland horse. He had other ideas. His blueprint for larceny included stealing a fine saddle and bridle, property of a Major King, and then stealing a valuable mare pastured on nearby marshes. He would then ride the mare to Nova Scotia, sell her; steal the black horse in Cumberland and bring him back to the Colonel; receive the balance of the price, then away to the United States in a hurry.

The plan failed. Henry stole the saddle and bridle but could not catch the mare though he tried for most of the night. By dawn, defeated, he set off on foot with the harness in a pack on his back. Towards evening, with thirty footsore miles behind him Major King's leather goods were in use on a fine bay horse that had been in a field in the parish of Hor-

ton. This horse belonged to a Mr. Knox, who went in pursuit of his property. Three days later Mr. Knox caught up to Henry in Pictou, Nova Scotia, a distance of one hundred and seventy miles, and had him arrested by Deputy Sheriff John Parsons. The date was July 24th. 1814.

Henry's protestations of innocence were not believed by the county Justices and a warrant was issued by the Court for his conveyance through the several counties to the gaol of Kingston, New Brunswick, there to stand trial. Knox, Parsons and the prisoner retraced the journey, stopping at various places to return goods Henry had pilfered. A piece of India cotton and a watch among them.

Knox declared that only his vigilance prevented Henry's escape during this period but arriving at Kingston gaol Henry's attitude was peaceable so they removed his handcuffs and he was committed to the care of Walter Bates, High Sheriff of Kings County, province of New Brunswick. Henry was examined before the county magistrates, Judge Pickett and Mr. Justice Ketchum. His story was plausible, if involved. He said he had missed the vessel so started for Cumberland on foot. He was overtaken by a stranger with a large horse and small mare. Henry bought the latter for ten pounds but becoming dissatisfied with this mount made another deal in which he swapped the mare and fifteen pounds for the horse, saddle and bridle. As proof Henry handed Judge Pickett a slip of paper on which was written:

Received 20th. July, 1814, of Henry More Smith, fifteen pounds, in swap of a horse, between a small mare and a large bay horse that I let him have, with a star, six or seven years old. JAMES CHURNAN

"What happened then?" asked the judge when all had read the note.

"I parted from the stranger and went to Cumberland where I bargained for the black horse as I'd intended. I hadn't enough money to pay for him unless I sold the horse I was riding. I heard that Colonel Dixon of Truro wanted to buy a similar horse. When I got there I found the Colonel had gone to Pictou to attend court, so I followed him. The next day was Sunday, no day for horse trading, so I had to wait till Monday. Mr. Knox appeared then, charged me with stealing his horse and had me brought before the court. Now I'm here in King's county gaol to stand trial.

"I'm a stranger, sirs. Penniless, friendless and in a desperate situation. I'm an innocent man, badly used without just cause," he looked pointedly at Knox who was present at the hearing, "kicked and beaten with a pistol, and unless you find the man who sold me the horse my name cannot be cleared."

His plea was in vain. In spite of his protestations and the alleged receipt from James Churnan a regular committment was made out and Henry returned to gaol.

He seemed resigned though he complained of a severe pain in his side, caused by the harsh treatment Mr. Knox had dealt him on the journey from Pictou. General sympathy and interest were shown as news spread of the prisoner accused of horse stealing. Some of it due to Henry's youth and the penalty he faced if found guilty, and some from the identity of his accuser. Sheriff Bates at no time disparages Mr. Knox yet one has the impression the gentleman was choleric, vindictive, and unpleasant. A bad man to cross.

Sheriff Bates advised Henry to get a lawyer, recommending a Saint John Attorney, Charles J. Peters, and since Henry had no money for legal fees the Sheriff allowed him to sell various items Henry had left behind at his former boarding house. Everyone in Kingston felt sorry for Henry and they bought without haggling. He soon had enough to retain

Mr. Peters, whose fee was to be five guineas paid before the sitting of court. Henry's trial was set for Tuesday, Sept. 27. An unpleasant prospect. For comfort Henry turned to his pocket Bible, reading aloud when anyone was within earshot, punctuating the prophets with a hollow-sounding cough and half stifled groans. He displayed a discoloured and swollen bruise caused, he said, by a blow from Mr. Knox's pistol.

The prisoners were not in the actual care of Sheriff Bates, whose house was some distance from the gaol and Court House. The gaoler was Mr. Walter Dibblee who lived in rooms in the County Court House adjacent to the gaol. (The cells were actually in the basement below the Court House. About 1965 I talked with a lady, then one hundred years old, who had attended school in the Court House building. She recalled venturing into Henry's cell 'long boarded up . . . but the boys had torn away the boards' and had felt the staples in the wall and floor to which he had been chained.)

Mr. Dibblee was a bit of an invalid and his son John looked after the prisoners when his father was indisposed 'with that painful infirmity the gravel'. John was kept busy during the next few days for Henry grew worse. Loss of appetite, weakness, severe headaches, dizziness, frequent raising of blood and increased pain in his side were symptoms he bore with angelic fortitude, exciting the sympathy of everyone who came near him. Delicacies of all kinds were sent to the gaol by neighbours and on Sept. 11 Dr. Adino Paddock, Jr. was called in. He examined Henry, gave him medicine, and for twenty-four hours there was some slight improvement in the prisoner's condition. Then he grew worse. He was unable to walk, his fever mounted, vomiting and raising of blood became more frequent. The doctor visited him on the 16th. and again on the 18th. of September. On this occasion the doctor suggested Henry's removal from that room. 'He's too ill to be kept there. Medicine is of no use in such a damp place." However the authorities disagreed. On Sept. 20th

with Henry much worse Mr. Thaddeus Scribner and others went in to see him. They inspected his quarters but found no dampness that could injure even a sick man taking medicine. So Henry stayed where he was.

Everyone believed him at death's door, not knowing that Henry was one of that rare breed who can feign symptoms of ailments at will. So the Rev. Elias Scovil, resident rector of Kingston, and a great number of neighbours returned day after day as evidence of their sympathy and concern. By Sept. 24 all were convinced Henry was dying. He'd made a simple will leaving his clothes to John Dibblee, son of his gaoler; his money, about three pounds that he always kept by him in his bed, he bequeathed to his gaoler, Walter Dibblee, for his attentions to him in his sickness. The prospective heir suggested he could take the money then but Henry shook his head. "Safe where it is. You'll have it soon enough." True enough. The three pounds would be in the Dibblee pocket by sunrise at the latest. Itching fingers could wait that long. They left Henry alone in his cell.

Around 6 o'clock Rev. Scovil returned to the gaol to keep Walter Dibblee company. They had been together but a short while when a loud commotion sounded from the gaol below. "That must be Smith, John," said the elder Dibblee. "You go and see to him."

Young John Dibblee hurried downstairs to the gaol passage, unlocked the door and rushed to Henry's cell to find him twisting and writhing in the agony of a fit. "I'm dying," Henry gasped. "My legs . . . dead to the knees . . . AAAAAH . . . Get me . . . a hot brick, lad . . . may give . . . AAAAAH . . . some relief."

"Sure. Sure." John picked up the brick they were using as a bedwarmer. "I'll get one right away."

He sped off on his errand of mercy, along the passage, up the stairs to the kitchen where a fire, big, full of scarlet coals, blazed on the open hearth. John threw the brick into the hottest part, covered it with fire and waited till it grew hot, then raked it out, slid it on a shovel and carried it as quickly as he could to the gaol.

Poor, careless, hapless John. In his haste he'd forgotten to lock the door and clothing, boots, prisoner and the three pound legacy had vanished. Henry hadn't waited for the hot brick. He'd taken other means to warm his feet.

This was Henry's most important escape for it turned folks against him, curdled their milk of human kindness and utterly destroyed any sympathy they had held for him. On October 31st. when, after a series of captures and escapes he was finally brought back to Kingston gaol not a soul believed him innocent.

Here is Bates description of the place where Henry was confined. " . . . twenty-two feet by sixteen, stone and lime walls three feet thick on the sides, the fourth wall having been the partition wall between the prison room. This partition wall was of timber, twelve inches thick, lathed and plastered. The door was of two inch plank, doubled and lined with sheet iron, with three iron bar hinges three inches wide, clasped over staples in the opposite posts and secured with three strong padlocks, and having also a small iron wicket door secured with a padlock. There was one window through the stone wall, grates without and within, and enclosed with glass on the outside so that no communication could be had with the interior undiscovered.

The passage that leads to the prison door is twenty feet in length and three feet in breadth, secured at the entrance by a padlock on the door; the outside door was also kept locked so that no communication could be had through the passage

without passing through three securely locked doors, the keys of which were always kept by Mr. Dibblee, the gaoler, who from his infirm health never left the house day or night."

Henry's bunk with straw and blankets were the only furnishings. In one corner was the 'necessary'—a wooden seat over a pit dug in the earth floor. Henry was shackled by the leg with chains long enough to reach the 'necessary' but short by five or six feet from the grated window. He was not handcuffed at first, then they discovered he could remove his shackles at will so they took stronger measures. He was secured with handcuffs, an iron collar, chains and padlocks; the window's inner grate was filled with brick lime and sand until a mere four by five inch pane in a wall three feet thick made it . . . to quote Bates . . . "almost a dungeon.' "The entire weight of the ironmongery confining him was forty-six pounds, heavy, cold companions on a bare floor for he had nothing to sit or lie on. Bunk, blankets and clothes he had destroyed. During the next month, day and night, Henry used his last weapon. Noise. He bellowed, raved, screamed like a madman, mixed prayers and Scripture with imprecations, or would sing the one word 'trouble' a thousand times. It became bitterly cold towards the middle of December so they gave him a bunk with straw tick and blankets. These they removed when he made one into a rope and tried to hang himself. On Dec. 16 they discovered Henry had broken the iron collar so next day they put a chain about his neck, stapling it so he could reach neither end.

'Secure, quiet except for occasional bouts of screaming and shouting he remained thus until January 15th.'

Afraid the sub-zero temperature might cheat the gallows his captors took off all his irons except the fetters and handcuffs. Henry showed no gratitude for this relief but kept as noisy as ever, especially at night. He was impervious to the intense cold. His hands and feet kept warm and even his

chains, so the Sheriff says, held some body heat. All through the bitter winter nights Henry's yells tormented the Dibblee family. Sheriff Bates and Walter Dibblee, the gaoler, had been held to bail in September to appear at the next court of Oyer and Terminer to traverse the indictment for negligence in suffering the prisoner to escape. Some accommodation must have been made, unrecorded by the Sheriff, for after the sitting of the court of Common Pleas held in Kingston between March 5th. and 11th. Mr. Dibblee and his family moved to Sussex Vale where Mr. D. took charge of the Academy and on March 12th. 1815, Henry had a new gaol-er, Mr. James Reid.

Henry seemed to welcome the change for he was quiet for two weeks. Then on March 24th Reid sent a frantic message for help and the Sheriff and half a dozen men hurried to the gaol to find Henry loose from all his irons, his neck chain broken in three pieces, his handcuffs in four. They subdued him, secured him by a leg chain firmly stapled in a new position, some stiff handcuffs and another neck chain fastened to the floor. This held him for four days, then he was loose again. This time they fastened his handcuffs to the chain between his neck and feet so that standing he could not reach in any direction. In six days Henry had broken this chain . . . one used as the buck chain on a bob-sled . . . so they replaced it with a heavier, stronger ox-chain. Henry made short work of *that*. Then, abandoning these feats of strength, he began to weave his bedstraw into figures that were remarkable lifelike. He amused himself with this peaceful occupation in the daytime, at night he shouted, yelled, beat the floor with his chains and kept everybody awake.

Henry's trial took place on May 4th. 1815, at the Kingston Court House with the Hon. John Saunders presiding. It seems to have been a pre-judged affair if one follows Bates' account. There is no mention of evidence for the defence, the bill of sale Henry had produced, for instance. Nor were wit-

nesses called who, earlier, had claimed to know of the elusive James Churnan. Henry's counsel, Mr. Peters, seems ineffectual. He tried to have the indictment quashed on the grounds that Mr. Knox' second name had been spelled Willis rather than Wills. He was overruled by Judge Saunders. Yet his plea was reasonable and might have swayed the jury if Henry had gone on trial with no unpleasant memories of trickery, fraud and mischief to chill the sympathy of the listeners. The jury was out for two hours. They returned a verdict of GUILTY and Judge Saunders pronounced the dire sentence 'Death without the benefit of clergy.'

Back in his cell Henry resumed his noisy ways, tore off his clothes, broke his chains, refused food for a week and then began to construct his wonderful puppets in, as Sheriff Bates wrote a letter to the Attorney General, (later published in the Royal Gazette of July 11, 1815)

" . . . a dark room, chained and handcuffed, under sentence of death, without as much as a nail of any kind to work with but his hands, and naked . . . "

There were ten puppets, men, women and children. ". . . they appear as perfect as though alive, with all the air and gaiety of actors on the stage. Smith sits on his bed, his exhibition begins about a foot from the floor and compasses the whole space to the ceiling."

Bates' description is most inadequate. He gave us the exact measurements of Henry's cell and window, yet we have no idea of the size of the puppets. Were they large or tiny, lifesize or miniature? He doesn't tell us how they were manipulated. He describes their actions and costumes in detail, a man with a tambourine, another pushing a swing on which is a young lady, dancers, children holding hands etc. etc. Henry's show was open to the public, or such as could view the puppets from the passage by peering into the murky dungeon. Bates lists them by nationality '. German' an 'Irishman'

a 'gentleman from Pennsylvania'. They paid for the privilege so Henry soon had money to buy calico for a screen, a violin and articles and material to improve the production. He kept adding figures until by Aug. 10th. the company numbered twenty-four.

The letter in the Royal Gazette aroused public interest far beyond the confines of Kingston where people still felt resentful and, probably, had no wish to delay Henry's appointment with the gallows. So Sheriff Bates can be forgiven for seeking a bit of literary limelight in Fredericton, though he says the object of the journey was to learn Henry's fate. The Attorney General, sensing the public sympathy for Henry, used his personal influence with the Council to lighten the sentence. " . . . having ascertained from the Attorney General that his destiny would not be fatal I returned again to Kingston."

Henry's pardon arrived towards the end of August and on the 30th. 1815 at Saint John the Sheriff and James Reid, the gaoler, put him on board a vessel bound for Windsor, Nova Scotia. With him in a box was his 'family' of puppets. He left it behind when he stepped ashore.

In 1817 the Sheriff wrote his book on the remarkable prisoner and had it published in New Haven, Conn., U.S.A. While in New Haven he was asked to go to Newgate Simsbury Mines to see a prisoner, W. H. Newman, whose crimes and actions resembled those of Henry More Smith. Sheriff Bates recognized Henry at once but received no response from 'Newman'. In the following years the Sheriff lost sight of Henry though reports of various robberies and confidence tricks that, to him, bore Henry's trademark showed that his erstwhile prisoner was constantly changing his name and abode. In one of these Henry, under the name Henry Hopkins, was a dynamic, spellbinding preacher of the Gospel, sect unknown. In this guise he committed some infraction of

the law and had to flee. This time he stole not only a horse but a vehicle as well and was travelling through Maryland when he was caught. Tried, convicted and sentenced to seven years imprisonment in the State Prison, Baltimore, about 1827, nothing was heard from him until August 4th. 1835, when he was charged with shop-breaking and burglary and imprisoned in Toronto Gaol. He said his name was Smith but denied he was the 'Smith' of Kingston Gaol, 1815.

This time Sheriff Bates made no effort to identify his former charge. He was no longer in his prime and curiosity, travel and literary acclaim hold less pull in the frosty seventies so this is the last item he recorded.

Henry Frederic Moon had waxed and waned for the last time. A gentle rogue, a foolish rogue, who stole and lied for little gain and much discomfort. A man of mystery, the key to his origin and end lost to us forever.

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The Nova Scotia Apple Industry - Part 2

KEITH A. HATCHARD

THE PRESCOTT FAMILY

Certain families prominent in the history of the United Kingdom have also played a prominent role in the development of the New World. Few family names have become so honoured on both sides of the ocean as that of the Prescotts.

Reaney[1] tells us that the name comes from the Old English 'cot (e)', or cottage and denoted residence or employment at the priest's house or manor. He refers to Gilbert de Prestecota, mentioned in the Pipe Rolls for Devonshire in 1175, and Richard de Prestecot listed in the books of Whalley Abbey in Lancashire in 1192.

It is from Lancashire that our Prescotts of North America mainly originate. John Prescott of Standish (near Wigan), Lancashire, England, was one of the first settlers of Lancaster, Massachusetts, in 1643. He was the grandson of Sir James Prescott and Alice Molyneau Knight of Dryby, Lincs, and in 1629 he married Mary Platts of Sowerby, near Halifax, in Yorkshire, England. It is from his son, Jonathan, of Concord, Massachusetts, that our Nova Scotian Prescotts stem, but a

brother James, who settled in New Hampshire in 1665 was the grandfather of Jesse Prescott, who founded the New Brunswick branch of the family by settling there in 1812, and also Dr. Samuel Prescott, the sharer of the famous 'midnight ride' from Lexington to Concord with Paul Revere and William Dawes. He died in a Halifax, Nova Scotia jail in 1777.

Before considering further our Nova Scotia Prescotts it is interesting to note that the current member of the British peerage with the Prescott family name, Richard Stanley Prescott, second Baronet, of Godmanchester. Huntingdonshire, England, is also a grandson of a John Prescott, of Blackburn, Lancashire.[2]

Further evidence of the prominent role played by Prescotts in the development of Canada is found in the fact that General Robert Prescott (1725-1816), of Lancashire, England, was Governor of Canada and Nova Scotia in the period 1796 to 1799, and that Sir Henry Prescott (1783-1874), was Governor of Newfoundland from 1834-1841.[3]

It is from Jonathon Prescott of Concord, Massachusetts, that our Nova Scotian Prescotts are descended. Colonel William Prescott (1726-1795), the hero of Bunker Hill, was also a descendant of Jonathan Prescott. He was a brother of Dr. Oliver Prescott (1731-1804), physician and Revolutionary War soldier, and grandfather of William Hickling Prescott (1796-1859), the famous historian.

William Prescott's story has been told by many biographers. It is a story of triumph over adversity and is well worth a brief summary here. William Hickling Prescott of Salem, Mass., was a highly gifted young man of noble proportion whose early youth held out much promise of an outstanding career ahead of him. Unfortunately, an accident in a bout of rough play at Harvard destroyed the sight of his left eye, and subsequent illness reduced the vision in his right eye to a very low level. With the aid of a 'writing-machine' and

paid secretaries, Prescott, forged a reputation as a first-class writer of history, particularly as a reporter of exciting events, such as the *Conquest of Peru* and the *Conquest of Mexico*. It was said, by those that knew him, that his fame as a historian was exceeded by reputation as a human being. In a tribute delivered to the New York Historical Society, after his death, a friend stated that, 'He was himself greater and better than his writings.'[4]

Jonathan Prescott, the grandson of John Prescott the settler of Lancaster, Massachusetts, received land grants, after the capture of the fortress at Louisbourg, at Halifax, Lunenburg and Chester. He built mills at Lunenburg and at Chester where he made his home. Jonathan Prescott had been a Captain in the Engineers at Louisbourg and his military training stood the town of Chester in good stead in 1782 when three American privateers attacked the town. Captain Prescott drove the privateers out of the harbour with well aimed cannon-fire from the block-house. The privateers moored their ships outside the harbour and attempted an overland exploit against the town. Captain Prescott treated the privateers hospitably, and then tricked them into a hasty departure, by having his son announce the despatch of a hundred militia from Lunenburg to Chester. Doctor Jonathan Prescott, soldier, surgeon and churchwarden, died at Chester on the 21st of January 1807.[5] He was the father of two children by his first wife, Mary Vassel, who died in 1757; and five sons and five daughters by his second wife, Ann Blackden of London, England, who died in 1810. The eldest son, John. purchased Maroon Hall at Preston in 1811, and the second son, Doctor Joseph Prescott, fought in the Revolutionary War, before settling, with his wife and son, at Halifax. He died in Halifax on 23rd of June 1852, at the age of 91, and was buried in the Fairbanks plot at the Camp Hill Cemetery, after long years of service to the Halifax community. The

fourth son of Doctor Jonathan and Ann Prescott was named Charles Ramage after a Scots ancestor.

Charles Ramage Prescott was born at Halifax on the 6th of January, 1772. He married Hannah Whidden, the daughter of John and Elizabeth (Longfellow) Whidden in Cornwallis on the 6th of February 1796. His older brother, Doctor Joseph Prescott, had earlier married Hannah's sister, Abigail Whidden. The seven children of Charles Ramage and Hannah Prescott were all baptised in St. Matthew's Parish in Halifax between the years 1797 and 1811.[6] By this time Charles Ramage Prescott had become an exceedingly prosperous merchant in the City of Halifax where he had amassed a considerable fortune. In February 1811 a project for the establishment of a Provincial Joint Stock Bank was undertaken by the Halifax Committee of Trade. One name on that committee was that of Charles Ramage Prescott.[7] Among the names of merchants carrying on business in Halifax in 1817 is that of the firm of Prescott and Calkin Ltd., purveyors of fresh fruit, on Granville St., Halifax. Ahira Calkin was responsible for introducing the Calkin Pippin and Calkin's Early variety of apples to Nova Scotia. But how had the name of Prescott became associated with the fresh fruit business?

In 1812, Charles Ramage Prescott, feeling that the fogs of Halifax were becoming ever more injurious to his health, had decided to move to Starr's Point in Cornwallis, King's County. His wife Hannah died on 15 January 1813 at the age of 37. Charles had purchased a 100 acres of land at Starr's Point in 1797. He laid the foundations of a house, later to be named Acacia Grove, there, in 1799, and, over the course of the next few years, his house was built. The house was built of solid brick using mud from the Cornwallis River and one of the most distinctive features of the fine Georgian mansion was a slight bell-cast to the roof.

Graceful fan-lights were built into the front and back doorways of the house and four dormers along with two huge chimneys were built into the roof. With its seven fireplaces and many bedrooms the house was, and still is, one of the most imposing and elegant edifices in the Province.

Charles Prescott married again on 9th February 1814 to Maria Hammill in Halifax. Charles, the only son to survive to maturity from his first marriage, died while on a sea passage to Bordeaux, France, on 24th April 1818. Charles Ramage and Maria Prescott had three sons and two daughters but only the third son, Charles Thomas, provided heirs to the family name. The eldest son, James Robert, was a barrister for many years in Kentville but died a bachelor in the eighteen-seventies.

Charles Ramage Prescott's younger sister, Lydia, (1175-1826), had married the Reverend Robert Norris, an Englishman from Torbay, Devon, who had taken over from the Rev. Thomas Lloyd as Rector of St. Stephen's, Chester, in 1795. Robert Norris subsequently became Rector of St. John's Parish, Cornwallis, in 1806, and raised his small family of three girls in the house called home at Town Plot.[8] Susanna Byles, the middle girl, only lived eight years, but the eldest girl, Mary Ann Norris not only lived to the ripe age of eighty years, she also wrote a diary.

The diary of Mary Ann Norris tells us little of the efforts that her uncle and his fellow-grafters were putting into the improvement of the Nova Scotia apple industry, but it does shed considerable light on the social life of those times. Social visits, of course, involved the consumption of copious cups of tea, but a surprising feature of the time was the extent to which this genteel society indulged in gambling. 'Uncle Charles' was a favourite opponent of his niece, Mary Ann, in these games of chance which included 'chips', 'commerce', 'speculation', and something called 'How do you like

it?'. In Mary Ann's personal account book for 1823 she shows a loss at 'commerce' of five shillings and eleven pence, and also the expenditure on a lottery ticket of one pound.'[9] Mary Ann tells us of the visits of such dignitaries as Lord Dalhousie and Sir James Kempt, both past governors of Nova Scotia to 'Acacia Grove' and tells us, also, that this was the favourite rendezvous for dancing to the violin and tambourine until three and four o'clock in the morning! But life was not easy, even for Mary Ann Norris who, as the daughter of the Rector and member of the prestigous Prescott family, occupied a fairly high rung on the social ladder of that society. She was constantly occupied in making clothes, either for herself or for others. She had to help with the massive accumulations of laundry and assist in the making of the soap to do it with. This was in addition to such chores as quilt-making and fruit-picking.

While Mary Ann Norris was keeping her diary, Charles Ramage Prescott was applying his intellectual gifts and boundless energy to the science of horticulture.

Many of the pioneers of the Nova Scotia apple industry were busy in this period, along with their gardeners, experimenting with grafted trees. These included the Starr brothers, Colonel John Burbidge, Bishop Charles Inglis, Ahira Calkin and of course, Charles Ramage Prescott. At 'Acacia Grove', Prescott and his gardeners planted the Ribston, Blenheim, King of Pippins, Gravenstein, Alexandra and Golden Pippin, from England. From the U.S.A., he brought in the Baldwin, Rhode Island Greening, Esopus Spitz, Sweet Bough, Early Harvest, and Spy. The Gallic flavour was provided by the Fameuse, Pomme Gris, and Canada Reinette, from Quebec.[10] Not all of these grafts responded well to the Nova Scotia environment, but others, such as the Gravenstein and the Ribston Pippin, did superbly well. In addition to his apples, Charles Prescott introduced vareties of plums, pears, nut trees, grapes and peaches.

Charles Ramage Prescott lent the benefits of his business acumen, wealth and influence to the reviving Nova Scotia Fruit-growing industry and in 1825 we find his name listed as the President of the recently formed King's County Horticultural Society with John Whidden as Vice-President. The society does not appear to have lasted very long but its influence persists to this day.

Charles Ramage Prescott displayed that generosity of mind and character that appears to have distinguished so many of those that have carried this family name. He was ready to help any of the neighbouring fruit farmers with advice or material aid and he was quick to respond to any call to public service. He served as a member of the Legislature for Cornwallis Township from 1818 to 1820 and in 1825 was appointed to a seat on His Majesty's Legislative Council. He was a member of the horticultural societies of New York, Boston and London, and it was shortly after his death that the years of careful building of the Annapolis Valley fruit industry finally produced results that captured world-wide attention.[11]

Nova Scotia was invited along with other Colonial Governments to display at the International Exhibition held in London in 1862. Despite lack of Government support, Nova Scotia exhibited in many categories, winning fourteen medals and honourable mentions. The show was about to close in October 1862 when the Nova Scotia fruit, which had been sent by steamer after a massive appeal to all fruit-growers in the Province, arrived. The astonishment at the quality of the produce was so great that the show was extended for a few days in order that the public might see the late exhibits. Thanks to Men like Charles Ramage Prescott the image of Nova Scotia as a barren, rocky wasteland was dispelled forever.

Charles Ramage Prescott died on 11th of June 1859 having lived to see the apple blossom of his eighty-eighth year. His wife, Maria, died seven years later at the age of ninety. Acacia Grove stayed in the family for a couple of generations but then it was sold out of the family and moved through the hands of a number of owners before becoming a kind of lodging-house for migrant farm-workers. It, naturally, suffered severe neglect in the process, compared, that is, with the tender care of Charles Prescott and his staff. It is fitting that a Prescott was instrumental in the eventual fate of Acacia Grove.

In 1930, Miss Mary Allison Prescott, a Montreal nurse, and a great-granddaughter of Charles Ramage, had her first view of Acacia Grove. She formed an instant love for the stately house and a resolve to restore it to the family. This ambition she achieved in 1942 when, along with her sisters, Louise Prescott Billington and Agnes Prescott, she purchased the house and an adjoining three acres. She spent the rest of her life working with her sisters to restore the old house to its original splendor. Mary Prescott succeeded in not only restoring the house to its prime condition she also managed to trace and re-acquire much of the original furniture.

When Mary Allison Prescott died in 1969, it was at her bequest that the Provincial Government purchased Acacia Grove and incorporated it into the Nova Scotia Museum complex. Thus, it is possible for visitors, during the summer months, to visit Acacia Grove, to gaze at the portraits of Charles Ramage Prescott and his family, and to dwell upon the contributions that this remarkable man made to the improvement of his native Province. At the same time it is astonishing to consider the improving effect that so many of the bearers of this proud name had upon their times and the lives of those around them.

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Beyond the Limit

ALAN EASTON

"I've come for the *Hazel E. Herman,*" Captain Gabriel Pentz said simply as he handed a letter to the tall, well-dressed man seated at a large carved desk.

"The *Hazel Herman?*"

"Schooner."

"Oh, yes. Yes. Let's see. She's lying down there in the dock. Been there for more than a year, I should think." The British consul resident in Mobile, Alabama, tilted back and opened the envelope.

A hot zephyr moved the blind at the open window but did not stir the stagnant air of the handsome office. Mr. Ross let the letter drop on his desk.

"Captain Pentz. You're from Nova Scotia. A lot of captains come from there."

The consul picked up the single sheet of paper again. "She's owned by a Mrs. Amy Rafuse. It that right?"

"So I was given to understand by her agent before I left home. I was told I'd find Bowman Rafuse here who would act for his wife while the schooner was in Mobile."

"Never heard of the man." The consul spoke sharply which gave Captain Pentz the feeling that the Englishman knew everyone.

Pentz pulled his pipe out of his pocket, thought better of it and shoved it back. "Bowman Rafuse," he muttered. "I was told Bowman would be here." Mr. Ross was gazing out of the window. He swung round.

"Yeoman, perhaps you mean! There is a fellow called Yeoman who has been around Mobile off and on for some time. A Canadian—thus a British subject, of course." He hesitated. "I think, Captain, you had better meet him. I'll see him shortly, no doubt. In the meantime, you might want to look over the *Hazel Herman.* She's going to be released by the customs soon. If I am right about Yeoman it will probably be arranged that you come to me for funds to put the boat in order and for a crew when you're ready to sail."

Captain Pentz left the consul's office with a puzzled frown pulling together the black brows over his bright, experienced eyes and made his way to the docks. The vagueness annoyed him after traveling for days in a train in high summer to the Gulf of Mexico.

Through directions given him he came to what seemed a secluded and little-used wharf, deserted except for the two-masted schooner dozing against the shell-encrusted wooden piles. He recognized her at once. He knew the *Hazel Herman.* She had been built at Snyder's yard at Dayspring just upstream from his home on the LaHave River. He had seen her bringing fish in from the Banks for something like five or six years. Then she had disappeared like so many other schooners in the fishing slump of the 1920's and gone south, they said.

Gabriel Pentz gazed at the schooner with professional appreciation. She was a big vessel, perhaps 130 feet long from her gracefully curved bow to the taffrail at her long undercut stern.

He crossed the narrow plank and dropped to the hard wooden deck. Though broad-shouldered, he was slim and

agile for a man of forty-one. It was silent aboard; she was lifeless. Her canvas, still on her booms, was weakened by weather and sun. But her spars were good, her rails solid, her hull would probably be the same. He was not displeased and would be glad to command her if Bowman Rafuse, or Yeoman, if that was his name here, was prepared to put out some money to refit her.

A remark the British consul had made suddenly came to his mind as he strode back through the streets of Mobile to his modest hotel: "She is going to be released by the customs soon." She must have been in trouble! What sort of trouble? Rum running? Pentz had heard from those returning to Lunenburg that rum running had expanded in the Gulf and off the Florida coast in the last two years from a lively illicit trade to an enterprise approaching the magnitude of the gang-controlled violence that had persisted for years in the waters between the Virginia Capes and New England. Had the *Hazel E. Herman* been involved in this?

Well, she was not in it now. And his commission was to sail the vessel home to the LaHave River direct. He had accepted the job for $125 a month and had been paid a month in advance.

The Schooner was liberated in less than a week—apparently the courts had 'rationalized' their earlier judgment and found no case against her. During this time Captain Pentz made daily visits to the consul's office in the hope of meeting Bowman Rafuse. He knew what he looked like because he had known him slightly at home; he lived only a few miles from him up the river.

At last Bowman appeared and was introduced by the consul as Mr. Yeoman. There was no mistake, he was the same man, though his name differed in the two worlds.

He had the handsome, carefree appearance he had always had, smiling and affable, and greeted the captain with obvious joy. "I'm glad you got down here. I knew you'd come. No good skippers in the South. I know your reputation —the best."

A small man stood beside him. "This is R. J. Silver. He'll be your supercargo." Pentz shook a weak hand. "You can haul the *Hazel Herman* out into Faber's slipway tomorrow," Bowman went on cheerfully, "and have her bottom scraped and the vessel overhauled. There's plenty of money for it." He glanced at Mr. Ross who seemed to agree. "Pick up a mate on the waterfront to help you put her on the slip, and you can order a tug. Have all bills sent to Mr. Ross; we'll look after them."

Two weeks later the *Hazel Herman,* in good condition, was at her loading berth. She was taking liquor aboard; Silver was tallying it. Rafuse came down the dock. Captain Pentz was annoyed and worried. He tackled Rafuse.

"I come here to take the vessel back to Nova Scotia light, Bowman, empty, as I understood it. And now you're loading her with rum. Nobody takes that stuff to Nova Scotia."

Bowman Rafuse smiled blithely, "Why, Gabe, I've got to shift it. It was the cargo they seized. It's been released, like the vessel, and I'm obliged to do something with it."

"You own the cargo, too?"

"Er . . . no."

Pentz noticed he did not deny owning the schooner. Standing on the wharf together they watched the slings of whisky and rum being hoisted inboard and lowered alternately down the two hatches into the big hold.

"Look, Bowman. I'm ignorant of the rum trade. I've never been in the business as you know."

"That's why I wanted you, Gabe."

"Huh! I don't like it and don't want it."

"There's nothing to it. The supercargo will look after the liquor, he'll be responsible for it. Silver's a good man. He'll do all the paper work as well. You just have to sail the vessel and keep the cargo dry."

"Keep bottles dry" Pentz nearly cracked the stem of his pipe with his teeth. "And where do I clear for?"

"Tell you what, Gabe. I'll jack up your pay to two hundred dollars a month. How's that? Get the consul to give you a note."

"Is he in it too? I don't want no funny money . . . nor your bloody rum."

"We'll fix it up at the consul's office in the morning," Rafuse answered as he turned to walk up the wharf.

Gabriel Pentz still wanted to know where he was going but Bowman Rafuse seemed to be in a hurry. Perhaps he had not heard the question; Pentz knew he was genuinely hard of hearing.

** ** ** **

The *Hazel Herman* sailed early on July 3rd. The captain's orders were brief. They were simply to transfer his cargo to a three-masted schooner off Jacksonville, Florida and then proceed to Nova Scotia. Well, at least he would get rid of it fairly soon.

A brassy sun was already heating the fetid atmosphere of the docks when a large customs launch came under the bow and called for a line—the law demanded that a liquor-

laden sailing vessel had to be towed out by the customs. The launch towed the schooner four miles down Mobile Bay and then cast off.

Captain Pentz, who was about to order the foresail hoisted, was surprised to see the launch, instead of sheering off, drop back alongside. He was more surprised when two negroes jumped aboard and commenced removing cases of alcohol from his deck and passing them down to the customs officer and a boy in the boat. Silver was standing there and might even have been tallying them as they disappeared.

Pentz felt a tingling at the back of his neck and had difficulty preventing himself from roaring at Silver and particularly at the launch. But he reminded himself that the freight was the supercargo's business. He wished he could have had this liquor-making ingredient stowed below with the rum but alcohol, he had been informed, had to be carried on deck. He wondered if this was a port rule prompted by the customs who were now stealing upwards of 300 cases in front of his eyes. It was a relief to him when the sickening sight of brazen theft broke off, governed only by the capacity of the boat; and the agent of a respected department of the United States government sped away without a word having been spoken or a glance cast at the master of the plundered schooner.

Pentz wasted no time. The donkey winch sputtered, then chugged evenly as the foresail went up, the jib and jumbo were trimmed and the *Hazel Herman* began a slow beat into the light south-east trade wind to clear the bay. The captain watched closely while the heavy mainsail was hoisted, his anger ebbing as his interest grew in his attempt to assess the seamanlike qualities of his crew. The mate and the three deckhands were negroes from Grand Cayman Island. They should be good and they seemed to be. The cook, who joined the seamen when making sail, was not so handy. He was a native of Georgia of French Acadian descent. To the captain's eye he was a mulatto.

It seemed no trouble for the hands to set the mainsail, and the vessel's ability to sail pleased the captain. In the light breeze her canvas pulled her black hull smoothly through the rippling water, her clean lines and sharp stem responding effortlessly to the unshivering set of the sails. Her lee rail was well clear of the water's edge even though she was loaded with what Pentz estimated to be about 3,000 cases of whisky and rum.

Working the schooner to windward with these men brought no confusion, no doubts. They knew the ropes and tackles, were obviously familiar with the rig.

The sailing conditions lifted his spirits from the lower levels of despondency and the morning after departure brought a stiffening breeze with shafts of sunlight piercing the bluer water of the deeper regions of the Gulf.

The *Hazel Herman* passed through the Florida Straits and entered the Atlantic edging north gradually so that her course would take her well off the Florida coast and about equidistant from the Western Bahamas. The proximity of the islands was evident by the fast craft which occasionally crossed her track, their wakes boiling in response to their high-powered motors. Bimini, where rum was plentiful, was a mere dog watch or so from Miami.

Sailing by the wind the vessel heeled gracefully to the light trades. And the captain knew that she was doubling her apparent speed by the lift she had from the invisible north-running Gulf Stream. Such favourable conditions with not much to do gave him time to review the prospects before him. He did so in the light of his stay in the flourishing port of Mobile under Alabama's lightly-accepted enforcement of the unpopular prohibition law of the United States.

He did not like his immediate orders. The schooner with which he was to rendezvous was the *Donald* and the position,

29 miles off St. Johns River bar, below Jacksonville, and 31 miles from St. Augustine Inlet. It was well outside the 12-mile limit though. If the sea were flat he could unload fairly quickly but if it were rough it would take time and subject his vessel to damage; and the other one too, which had its significance.

The orders sounded straight enough but he could not see the object of the transfer. Why shift the rum from one schooner to another? Moreover, he had heard an undercurrent of speculation on the waterfront, now that the *Hazel Herman* was to unfurl her sails. It seemed that no master would take her, and most thereabouts, if not all, were hard-boiled in the rum trade. Was this because of an unsavory past? Or was it her owner's reputation of uncertainty; Yeoman?

Gabriel Pentz had kicked himself several times for having taken the job. But he was in the operation and could not get out of it. He could not have renounced his commission when he discovered the nature of the freight and taken the long journey home because he hadn't the money to return. He had been out of employment for six months and, like most of Nova Scotia's seafarers, had badly needed a job. It had been a period when it was said that hardworking fishermen could loaf with a clear conscience. Pentz had been captain of a tug in the Arctic, then master of coastal steamers for eight years until his firm, the La Have Steamship Company, was defeated by lack of business. He had four children between the ages of one and ten and while he owned a good house overlooking the river he, like others, could not be idle forever. No, he could not have gone back.

While Pentz speculated his crew were quiet and seemed happy. He wondered why, if the vessel was to return to Canada he had not been instructed to bring a Lunenburg crew

with him. It would be much less difficult than coming in to a Nova Scotian port with a coloured crew and trying to repatriate them with the complications that would arise.

The one nuisance was the supercargo. Perhaps Silver had too litttle to do. He had been reasonably cordial at first through his tough exterior but he had grown morose and snivelling and, of all stupid things, wanted to be put ashore. The shore was a place to be avoided.

Conjecture about the future was of so little use in the captain's untutored knowledge of rum running that he decided he must more or less put it out of his mind until he reached his destination. This was made easier by his sense of felicity when the breeze freshened and his vessel sped like a flying cloud through the sun-flecked sea. No schooner's sails could have drawn better, no hull could have responded to the pressure of the wind with more willingness. Perhaps reliance of her swiftness had once been her downfall.

** ** ** **

The *Hazel Herman* reached her rendezvous on the morning of July 15th, twelve days out of Mobile Bay. Captain Pentz's spirits were heightened when he saw a schooner lying to under light sail. She was in the approximate position he intended to take up. But then he remembered the vessel he was to meet was a three-master and this was a two-masted schooner like his own. Coming closer he saw she was the *Clark Corkum*. He sailed slowly on ranging the area in a wide circle and scouring the horizon for his consort. She was not to be seen.

The next day he went aboard the *Clark Corkum* to check his sextant against her captain's. He asked the agreeable but occupationally uncommunicative captain if he had seen the *Donald*. "No," he answered. "She's still in Havana, I guess."

For four days Pentz hung around on his position off Augustine, sometimes at anchor, sometimes cruising a little farther out or up and down the coast for short distances though not close in. But he did not encounter the *Donald.* Perhaps she really was in Havana.

On the 19th a fast motor boat came out from shore and drew alongside. A man boarded and introduced himself as Jim Clark and said he was to take the rest of the deck cargo of alcohol. "Me and Steve'll fix up the papers," he told the captain.

"Steve? Who's Steve?" Pentz asked.

"Steve Metcalf of course; your supercargo."

"Oh. I thought he answered to the name of Silver."

"Yeah . . . Yeah." There was some derision in his visitor's voice.

"Umph," growled Pentz. "Silver Steve don't seem to know who he is." But Clark was moving away from the poop to join the supercargo.

As Pentz was glaring at the two men he saw Jim Clark hand a small package to Silver who slipped it into his pants pocket. He determined to keep a close eye on Silver, or whatever he called himself. He was sick of the man's moroseness and complaining.

The boat pushed off when it was well loaded for its thirty mile trip to shore, perhaps more, depending on the backwater it was heading for.

Strangely, Silver's disposition changed. He became serene and pleasant, almost cheerful; his nonsense stopped as though his soul had been cleansed at a gospel meeting.

Soon after noon the following day a schooner hove in sight coming out of Jacksonville and stood towards the *Hazel*

Herman. When she was within hailing distance Pentz recognized Bowman Rafuse standing on the poop. He came aboard.

By nightfall they had transferred 800 cases of whisky to the schooner's deck. She then let go and was soon lost in the darkness.

Rafuse remained aboard the *Hazel Herman.* He said he would stay until the *Donald* came to take the rest of the cargo.

A sultry week passed. Rafuse was genial and Pentz found him quite companionable, particularly since the captain had little affinity with anyone else, except in a nautical sense. But his chatter was light and trival and he never committed himself to any discussion on matters of business or spoke of his personal interests. He drank liberally from a case of rum he had brought up from the hold and seemed to regret that the captain did not join him. Yet his disappointment appeared to be tempered with some satisfaction that the master of his vessel was a man of temperance.

He annoyed Pentz sometimes with his ignorance of ships, except the capacity of their holds and a rough idea of how long it took to sail from a Caribbean port to the Florida coast. And even this seemed to Pentz somewhat erroneous when it came to speculation about the arrival of the *Donald.*

One afternoon Jim Clark came out again in a fast boat and he and Bowman Rafuse conferred at some length, out of earshot of the captain. When he left he took Steve Metcalf, or Silver, with him.

"Is that the last we're going to see of him?" Pentz asked hopefully.

"Yes," Rafuse answered. "He's joining the *Clark Corkum* as supercargo. We don't need him here. I'll look after the rum."

"Queer guy. Gets as melancholy as hell at times. Seems half crazy."

Rufus watched the boat retreating. "Hophead," he commented casually.

"Hophead?"

"Hophead."

"Drinks beer?"

"No. Takes drugs. Lots of hopheads around these parts. Dismal characters. Even dangerous when they hav'nt got their pills."

"Well," said Pentz slowly, "that explains a thing or two." He looked in the direction of the familiar schooner a mile or two away. "Sorry for the *Corkum*. Good fellow, the captain."

But then he noticed another motor boat meet the one Jim Clark and the hophead were in and instead of making over to the *Clark Corkum* they steered in together towards the land.

There were many things Gabriel Pentz could not figure out.

On the 28th a storm came up the coast. When Pentz saw his barometer falling and the state of the sky he steered east on the strengthening breeze. But Rafuse objected to being taken off position.

"I want to be well off the land when the wind comes, as it will," Pentz explained. "Hurricane I reckon."

After a while Rafuse suggested taking shelter in Jacksonville.

"Wouldn't want them harbours in a hurricane," Pentz retorted. "Safer to ride it out at sea. Don't want no palm trees flying around fouling the rigging."

Rafuse pondered. "If we did go in we'd never get out again, of course. Be stuck for another year. No, that would be a mistake."

The hurricane came with its inevitable force and threw the vessel back towards the land. There was no clawing off. The foresail was blown out of its boltropes in the night and the storm sail could not stay her leeway. In the shallows off Halifax Beach Captain Pentz anchored just short of the surf. Though almost never a saving device in a storm he had no alternative. By the grace of God the massive fisherman's anchor, a relic of the Banks, held the schooner.

And so they stayed in the driving winds of a tropical cyclone, thrashing violently in the short precipitous ground sea.

In that period of riding it out Pentz saw another side of Bowman Rafuse. He confined himself to the dim, tumbling cabin and when Pentz had a chance to leave the deck and go below at first light on the second day he was shocked at the decline of the man he had known as debonair, buoyant, carefree.

When Pentz spoke to him he seemed not to hear. His mouth hung open as though his mind was absorbed in the sound of the creaking timbers rasping the humid air of the confined space. There was justification for concern but not such as would drive a man to abject terror. All he got when he tried to encourage Rafuse was the barely audible utterance, "She's foundering . . . breaking up," while he stared at the heaving deck as though he was looking through the planks into a maelstrom.

At first Pentz was impatient with him but the plaintive voice struck a chord in the captain that he could not have known was alive in him away from home. To see a shipmate —though a non-professional—collapse with fear left him

with some sense of compassion, and because he was the only man of his own kind on board gave him a depressing feeling of loneliness.

But Rafuse did not take to the bottle. Pentz was glad of that, though the thought occurred to him that, it might have been better if he had.

The violent pitching eased as the day wore on and the shreik in the rigging turned to an undulating moan. The glum Rafuse recovered quickly as the survival of the vessel became obvious. In the evening the wind came lightly off the land; the hurricane had traveled on. With difficulty the captain broke his anchor out of the clay bottom and by morning had made his offing.

** ** ** **

It was August 1st, when they took up their position again, this time 50 miles due east of Jacksonville. Between that date and August 9th they jogged off and on, sometimes closing the coast within range of the light at St. Augustine, sometimes standing out beyond the 20-fathom line, always looking for the *Donald*. Only once did they see a coast guard cutter. She circled for a while and then went off.

Jim Clark came out several times during these days. He was always accompanied by companions, different each time generally but all of the same sort. One whose name was not mentioned looked the most sinister; tall, cadaverous, middle-aged, he wore a tight suit, ankle boots and a straw hat. He asked that the schooner be brought in to 20 miles off as he had boats ready to shuttle a large quantity of liquor ashore. But the boats never appeared. Usually they threw out hopes for the arrival of the *Donald* suggesting that she would be at a position other than where the *Hazel Herman* happened to be. On one occasion it was the rumour that the *Donald* had been dismasted in the hurricane, losing some of her crew,

and had been towed to Havana, which tended to confirm the thought that she had been fully loaded. Such a disaster was not illogical because it was learned that a number of vessels had suffered damage and some had been driven ashore with the loss of all hands.

In spite of conversations on deck, which Captain Pentz was left out of but which looked to him, as viewed from the poop, like deals, with hand-shaking and nods of agreement on the part of the visitors, Bowman Rafuse became increasingly agitated and worried. At one point he was anxious to be taken ashore but was dissuaded by Clark.

Between visits he seemed to want to take his mind off his problems. He tried shooting at bottles thrown over the side with the double-barreled shotgun. It was the only gun on board, as far as Pentz knew, except his own German automatic which he had soberly purchased on the advice of a seemingly knowledgeable acquaintance in Mobile and which he kept in his hip pocket. It was useless though. He had found that the bullets he had bought did not fit it. But the revolver might serve as a bluff.

Gabriel Pentz concluded that everyone was a liar. Oddly enough he again felt sorry for Rafuse. He wanted to help him —and extricate himself too. Someone, he thought, must be double-crossing him.

On Sunday the 9th, when the sun was hardly an hour above the horizon, Captain Pentz sighted a boat, a mere speck, coming out from the coast. Presently he looked at it through the glasses and decided that it was heading in his direction. He called Rafuse who came up from the cabin in his shirt and pants and bare feet.

"Reckon they're making this way," Pentz said. "We might stop and ask them if they've seen the *Donald.*"

They had been beating against a light southerly wind during the night watches in their ceaseless search—or that was what Gabriel Pentz understood they were doing. Now he swung the vessel off and moved slowly to the westward to meet the boat. The two seamen who had handled the sails were leaning against the rail. The craft gradually grew larger.

"One of them high-speed launches," Pentz commented.

Rafuse's composure seemed to be shaky again. He did not answer. He walked about the poop with quick steps, stopped, looked at the approaching boat, then moved around in the confined space and strode along the deck—then back.

"Must have left St. Augustine before dawn," Pentz remarked.

"Suppose," Rafuse grunted.

In another ten minutes the boat was within hailing distance. In the silence of their sailing they heard the powerful motor throttle down.

A voice through a megaphone came over the water. "Have you seen a three-masted schooner?"

Captain Pentz answered that he had not. That was what he was looking for. Had they seen the *Donald* anywhere?

There was no reply to this and the launch came closer.

The voice came again. "Man wants to see you, Yeoman. We'll come alongside."

Being partially deaf Rafuse did not catch it all. Pentz repeated it. He hesitated for a moment and then said No.

Captain Pentz put his megaphone to his mouth again. "Don't come alongside. Stand off." And he waved them away.

"Seem to be acquainted with you, Bowman."

"They have no business with me. Don't let them aboard."

"Okay."

The boat turned and went astern of the *Hazel Herman.*

Without taking his eyes off the launch Rafuse said, "Where's that gun I was using, Gabe?"

"On the main hatch, far as I know." He took several paces. "Yeah. Lying on the hatch."

The launch came up the port side some way off. Pentz kept his course, moving very slowly through the calm sea.

Now the voice came without the megaphone; it carried well in the stillness of the early morning.

"Like to come aboard, Yeoman. Okay?"

Pentz told him what the voice had said.

"I don't know!" Rafuse exploded in a low tone. "What does he want I wonder?" He swung his body this way and that, staring at the boat and then at the opposite horizon.

"You know the party, Bowman?"

"Not sure."

There was silence for a minute. Then Pentz spoke again.

"Looks like he's pushing on."

The launch was overtaking them, moving up ahead. Then it was given more power, made a wide sweep and came by well off the starboard side. Having made a complete circuit it swung round the stern again and came up on the quarter. The launch's motor chugged slowly now. Pentz counted five men, perhaps six, in the boat.

"Don't seem to want to leave us," Pentz observed.

Bowman Rafuse had been running his fingers through his hair. He let him arm drop to his side. "Oh, better tell him to come aboard," he murmured.

"Friendly?"

"Guess so . . . Yeah. It's okay."

But Gabriel Pentz hesitated.

Suddenly the launch's engine revved up, the boat lept forward and shot alongside. A roar of stern power arresting its way.

Without warning a man jumped to the schooner's wooden rail. Instantly he pulled a gun from a holster, pointed it at the captain and in a grating yet clear voice said, "Stick 'em up!"

Captain Pentz's mood changed abruptly. A blaze of anger shot through him; less for what was said than the audacity of the boarding.

He recognized the meaning of the order. Yet it sounded absurd, almost funny, corny. Thoughts, like lightning, lept through his mind. Stupid lout standing there saying 'stick 'em up'. They didn't really say that if they meant business. What would they say? He was big, heavy . . . too heavy to be balancing on the rail . . . Curiously, he noticed, the men held his gun in his left hand—a fair sized pistol . . .

The order came again, more urgently.

The distance between the two was about forty feet. Pentz was standing alone on the port side of the cabin trunk. The helmsman had fallen flat to the deck by the wheel. Rafuse had vanished.

So he meant it! but obey him . . . a stranger?

The captain's right hand went down to his hip pocket. He fumbled a second while he watched the man. Then he saw the flash.

He heard the crack of the pistol and felt something bite his arm—his left arm. He whipped out his dead revolver.

Raising it, he backed up to gain the protection of the cabin companionway. But before he reached it he was shot in the stomach.

The useless gun fell from his hand.

As he crawled down the companionway he heard, as though at a great distance, another shot ring out. Then another one much louder. Crumpling on the deck of his cabin he vaguely sensed that yet another shot had been fired.

When the captain disappeared below the hijacker swung round and shot the cook who had just come on deck from the forecastle. The bullet pierced his collar bone.

But that was his last shot—and almost his last breath.

One of the seamen, known as Richard, had lifted the shotgun from the hatch unnoticed. He aimed and fired quickly. The hijacker was thrown back, toppled and fell overboard. He dropped between the schooner and the launch.

While the echo of the firing reverberated over the water the launch closed the gap.

Suddenly another man was on the rail. He faltered a moment to recover his balance, gun in hand.

The seaman did not wait for him to gain his trim; he pulled the trigger of his second barrel. The man twisted, hovering on the rail. Then someone in the launch caught him.

The engine roared and the boat sheered off.

The two shells fired from the gun were the only two left. Bowman Rafuse had used all the others—why, it was hard to tell.

When Captain Pentz struggled below he did not expect to survive. He was astonished that he did not lose conscious-

ness. When the men hurried down into his cabin his mind was working clearly in spite of his weakness and the pain in his forearm.

He ordered the mate and two men to go back on deck and make as militant an appearance as possible until the launch, which was lying off astern, had made its next move. He had the remaining seaman, Richard, put a tourniquet on his arm, which was bleeding copiously and wrap a sheet around his waist with several turns—the bullet had entered his navel, though it gave him little actual pain.

"Pull it good and tight," he instructed him. Richard nearly wrung the life out of him.

The mate returned to report the boat underway at high speed and making for the shore.

"Steer for St. Augustine . . . course about west-sou'-west." His voice was shaky. "Hoist the distress signal . . . Catch every breath of wind there is." He paused. "If you see a boat . . . try to get her to take us in tow . . . or ship me to . . . St. Augustine. Harbour's no more'n a gutter . . . can't get a schooner in." His voice trailed off.

The *Hazel Herman* added her maintopsail to the rest of her canvas but seemed only to idle through the shimmering sea, her wake like the trickle of a stream. Yet her speed was deceptive. At two in the afternoon the mate raised the lighthouse, a needle on a knife-edged horizon. At three a shrimp boat approached in response to the flag of distress.

Pentz, though dazed, heard snatches of one side of an argument in which Rafuse, who was evidently on deck, was trying to persuade a fisherman to engage in an errand of mercy. But the fisherman apparently did not want to become involved in a rum running affair. Presently, however, the man clambered down into the cabin.

As he spoke Pentz said, "You talk like you're a Newfoundlander."

"I am," he answered. "You hail from Lunenburg. That right?"

Pentz said it was.

The response was quick. "Well, I don't care what trouble I get into, I'll take you ashore. Ain't going to leave a Bluenose laying around half dead."

The captain was helped onto the shrimp boat, then the wounded cook and finally Bowman Rafuse jumped aboard. Pentz ordered the mate to shape a course for Jacksonville, go close in and try to get picked up by the coast guard. "Don't run her aground," were his final words.

That was the last Captain Gabriel Pentz saw of the *Hazel E. Herman.*

** ** ** **

After scratching a will of sorts on a sheet of paper at the suggestion of a doctor at the Flagler Hospital in St. Augustine, a surgeon pulled out the bullet which was lodged against his backbone, sewed him up and forgot him. Not that the surgeon was heartless, or was less sensitive to rum runners than others; he did not expect him to live out the day.

But Gabriel Pentz did.

This may have been partly due to an old shipmate, Captain John Chapman, a Nova Scotian now living in Jacksonville, who came to his rescue when he heard about him. He saw that he was given the best of the crude attention available.

Bowman Rafuse was concerned too. Yet it was not so much to care for the welfare of his captain that he contrived to procure a room for himself in the hospital, as perhaps to take refuge from the gangsters.

Pentz wrote to his wife—a rather muddled letter—saying that he was in hospital with a broken arm and would be there for some time. "I figure to get out when it mends," he finished.

They cut off the fingers of his left hand; they had become gangrenous. But that was not enough. His hand was taken off.

A week later he coughed and the stitches in his stomach parted like the boltropes of his foresail in the storm. Through his semi-conscious mind he heard the doctor speak of peritonitis to someone close to the bed. Pentz knew the word. He had seen the outcome of peritonitis before. He was bandaged after that; stitching would not hold.

Mrs. Pentz was informed by Captain Chapman. She left her four children and made the long journey to Florida. She hardly recognized him at first. He did not speak. His arm gave him the greatest misery.

One hot morning he heard the coloured woman scrubbing his floor again. After a while the scrubbing stopped. She was speaking.

"Cap. You pray to the Lord?"

Captain Pentz turned his head a little and opened his eyes. She was not old. Her crisp hair was tied tightly at the back of her velvety neck. He looked beyond and watched a fly moving up the screened window.

"I think I've consulted . . . the Almighty," he said at last. He felt her observing him intently. "In a manner of speaking," he added.

His eyes returned to the woman. Her black hands rested on her bucket as she knelt. He was attracted by the beauty of her white teeth as she spoke again.

'I know you not goin' to die, Cap, 'cause I'se been prayin' for you."

He closed his eyes again. "Thanks," he murmured. "Thanks."

Presently he found the bed more comfortable. It was quiet, peaceful in the room. Her assertion floated through his mind; he could remember every word she said—or was it really she who said it?

** ** ** **

Towards the end of September a man from the Department of Justice came to see Capain Pentz. Mr. Wilcox said he had been told it would have been useless to interview him earlier in the month.

"You're a miracle they say." He was looking down at the man who had so nearly died of wounds, sitting up in a wicker chair. "They don't know what caused you to survive. Salt water and mercurochrome, they tell me, was all they had."

The invalid laughed. "I live by salt water."

The Justice Department's Mr. Wilcox asked Captain Pentz to identify, if he could, photographs of several people. There was Jim Clark and the cadaverous unnamed one whose boats never came, and there was the man he knew as Silver, Steve Metcalf. But the photographer that jolted him when he saw it was that of one, Tom Irwin, according to Wilcox. "They call him Left-handed Dan."

"Yeah," agreed Pentz. "That's the man who shot me. Yeah. He fired with his left hand."

That was all just then but a few days later Mr. Wilcox returned with two men. When brought before him Captain Pentz identified one as the man steering the high-powered launch and the other as the man standing in the bow when the boat came alongside.

Pentz made a brief statement to Wilcox which he signed with a fairly strong hand. In October he was obliged to dictate a much longer account to the Department of Justice and was then asked if he wished to lay a charge against the hijackers.

"No," said Pentz. "Enough damage has been done already. I'm going home with my wife soon."

Then it was that Wilcox seemed to be freed from the obligation of reticence about the crime.

"Probably better to let the matter lay, Captain."

"Well, I don't understand it anyway," Pentz said. "Do you?"

They were sitting on the patio of the hospital under the shade of a green canopy. Gabriel Pentz had paced from one side to the other several times during the morning. The pain in his left arm was still severe but his stomach gave him little trouble. He was eating quite well and had gained much weight since his wife first saw him in his emaciated condition.

"No, I do not claim to understand it fully," Wilcox replied, stretching his legs out before him. "The Justice Department has several conjectures."

"I wouldn't be averse to hearing them."

"This fellow Bowman Rafuse is a gambler, at times a drinker, an imaginative dealer. That's on the bad side. You said he really has a good heart."

"He has, I think."

"That's something." Wilcox studied his perforated shoes. "Rafuse owned the schooner, not the cargo. He had probably collected the freight on it—and on rum freight's mighty high. It seems he conceived the idea of selling the cargo to another rum running syndicate instead of transfering it to the *Donald*. I guess he didn't think far enough when he made the arrangement. By and by he realized he was impli-

cated in a murder scheme and tried to back out, and dispose of the rum before the syndicate came out for it. But neither he nor you could find the *Donald* and no one helped you to find her. He was being double-crossed by his own agents."

"That's not hard for me to picture," Pentz observed.

"He didn't mind too much if he lost the *Hazel Herman.* She was insured. But there was you—and the crew. Yet he had provided himself with a black crew. He was geared for easy disposal there."

"I sometimes wondered . . ." Pentz murmured.

"When Bowman Rafuse reneged on the deal the party with whom he made it decided to hijack the rum. To make quite sure the job would be carried out successfully they hired this Left-handed Dan from New York. They wouldn't have employed that type of hardened gangster if they hadn't meant rough business, the complete business. As you may know these liquor syndicates have their headquarters in New York mostly; some are in Boston, some in Montreal.

"I wasn't acquainted with the fact," Pentz remarked.

"Their plan was not unlike others that have taken place on the coast. The advance party was to shoot up the master and crew, then craft would come out to unload, and after that the schooner scuttled or set afire."

"Oh!" exclaimed Pentz shortly.

"Maybe Rafuse would have escaped death."

"He was a mighty scared man them last days."

"No doubt."

"Maybe that's why he left two shots in the gun. He seemed to want to get rid of them earlier on."

"No doubt," Wilcox said again.

"If I'd have put my hands up I'd have been worse off eventually," Pentz suggested, raising his eyebrows.

"I suppose so. *You'd* have been twenty fathoms down instead of Left-handed Dan. I don't think they expected resistance."

"And the other guy that the seaman shot?"

"He was brought into this same hospital a while before you and your injured cook arrived. That's how we got a line on the gangsters."

"Oh," said Pentz.

"He, like your cook, was patched up pretty quickly."

The captain pondered a while. "Richard. Fine man, Richard. Good hand, too. Was a soldier at one time, he told me. Saved my life—all our lives."

"He sure did."

Pentz knocked the dottle out of his pipe. "You going to take the case any further?" he asked.

Wilcox shook his head. "You're going back to Canada aren't you?"

"Yes."

Captain Gabriel Pentz exerted double pressure with his right arm and eased himself out of the chair. He walked slowly to the edge of the patio, looked across towards the harbour that was 'no more than a gutter' and came back.

"Where's the *Hazel Herman?"*

"Don't know. Gone, I guess. Disappeared.

Novascotiana. 1976

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A Banks family of Nova Scotia

J. FURBER MARSHALL

Most of the Banks families of Nova Scotia descend from New England settlers of the pre-Revolution period who in turn descend from English origins.

The largest of these families descends from two brothers Moses and Joshua who, with their third cousin Elias, were the first members of the family to settle here. Their common ancestor was RICHARD BANKS (ca 1607-1692) of England who appeared in Scituate, Massachusetts about 1642. Moving later to York, Maine, he and two of his sons died in the Indian massacre of January 25, 1962.

His surviving sons John[2] and Joseph[2] had sons Moses[3] and Samuel[3] and they in turn had sons Joshua[4] and Joseph[4] who became the progenitors of the two branches of their family in Nova Scotia.

Joshua[4] spent the last decade of his life in Granville Township in Nova Scotia having emigrated with his sons Moses[5] and Joshua[5] but Joseph[4] remained in New England while his mariner son Elias[5] settled in Barrington Township in Nova Scotia after reportedly finding his return to home port blockaded by British forces.

Beginning then with the Granville settler:

1 MOSES[5] BANKS (Joshua[4], Moses[3] John[2], Richard[1]) b 16 April 1739 m (1) 1764 Jane Spinney and was granted Lot No. 93 at Granville that same year. He later sold to Henry Munroe and moved east to the next township, Wilmot, where great numbers of his descendants still reside. He m (2) Judith Saunders, b 19 Dec. 1751, dau of Timothy and Judith (Rowell) Saunders, proprietors in Falmouth. Moses d 16 April 1833. Ch.:

By (1)

i RUTH, b 1764
ii ELIZABETH, b 1765, m James Austins.
iii ANN, b 1768
4 iv MOSES, b 1770, m Olive Morton, re. Aylesford

5 v RICHARD, b 1773, m Anne Davidson Patterson
vi JOSEPH
vii BENJAMIN

By (2)

6 viii TIMOTHY SAUNDERS, b 1764, m Margaret Barss
7 ix ELIPHALET, b ca 1786, m Hannah Saunders
x JEREMIAH, d.y., traditions says, of poison ivy.
xi JUDITH, d. y.
xii JANE, b 1791, m Daniel Whitman
xiii JUDITH, b 1791, d unm 5 Jan. 1891.

REF: Granville Confirmation Grants — 1764; Census Granville Township 1770 and 1771.

2 JOSHUA[5] BANKS (Joshua[4], Moses[3], John[2] Richard[1]) b 1749, bpt 4 Nov. 1750, m 5 Jan. 1776 Dorothea Craft, who d 1833. Joshua d 20 June 1843 (Prob. Rec. No. 74, Annapolis Royal) Ch.:

8 i GEORGE, b 12 Mar. 1778, m Elizabeth Nelson.
9 ii JOHN, b 1780, m Mary "Polly" Farnsworth.
10 iii HENRY, b 6 Aug. 1782, m Thankful Farnsworth.
11 iv JAMES, b 1784, m Sarah "Sally" Rice.
12 v CHRISTOPHER, b 1785, m (1) Phoebe Durland (2) Jerusha Longley
vi HANNAH, b 1786, m Elisha Beals
vii FRANCES, m 1788, d 1803.
vii MARY, b 1791, d 1803
ix ELIZABETH, b 1793, lvg 1877, m Bayard Payson.
13 x JACOB, b 1794, m Elizabeth "Betsey" Witt
14 xi FREDERICK, b 1797, m Hannah Graves.
15 xii WILLIAM, b 1799, m Margaret Ann Warwick

REF: Census—Wilmot Twnshp 1827; Prob. Rec.—Annapolis Royal.

3 ELIAS[5] BANKS (Joseph[4], Samuel[3], Joseph[2], Richard[1]), b Saco, Maine 15 Jan. 1761, bpt Biddeford 23 May 1762. He came to Barrington, N.S. ca 1790 and m there Elizabeth Kenney, dau of Heman and Mercy (Nickerson) Kenney, both of Chatham, Mass. Elizabeth was b in Barrington 15 Dec. 1773 and d there 19 Apr. 1837. Elias d 19 Feb. 1837. Ch.:

16 i JOSEPH, b 23 July 1792, m Bethiah Crowell
17 ii JOHN, b 1794, m Lucy Nickerson.
iii HANNAH, b 1796, m 1823 James Spinney.
iv SUSANNAH, b 1798, m Jesse Smith Jr.
18 v ISAAC, b 1800, m Bethiah Nickerson
19 vi GAMALIEL, 1802, m Elizabeth Swim
vii NEHEMIAH, b 1804, d in Labrador.
20 viii STEPHEN, b 1807, m (1) Eleanor Knowles (2) Sarah (Cowdey) Atwood
21 ix AARON, b 1809, m Lydia Reynolds
x ELIAS, b 1812
xi OLIVIA, b 1814, m John H. Kendrick

22 xii THOMAS, b 1814, m Mary Nickerson
REF: Census—Barrington Township 1827.

4 MOSES[6] BANKS (Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1770 m Olive Morton, b 12 March 1776, dau of Joseph and Eleanor (Blood) Morton; res. Aylesford, N.S. Ch.:

23 i PHINEAS, m Eunice Dodge
ii ABRAM, d ae 20 yrs.
24 iii JOSEPH, b ca 1803, m Hannah Ward.
25 iv EDMUND, b ca 1807, m Eunice Morton
26 v JOHN H. G., b 1808, m Elizabeth Beals, n.i.
27 vi WILLIAM, b 1811, m Harriett Patterson.
vii MARIA T., b 1812, d 1880 ae 68, m George Duncanson (1821-1902) n.i. He m (2) Alice Banks, dau of Joseph No. 24.
28 viii GEORGE, b 1821, m (1) Sarah Ann Taylor (2) Nancy Jane Marshall
ix EMMA, b 1830, d 1928, m James Duncanson

5 RICHARD[6] BANKS (Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1773 m 20 May 1803 Ann Davidson Patterson, res. Annapolis Township. Ch.:

29 i WILLIAM, b 11 Aug. 1804, d 10 Feb. 1880, m Ruth Collins
ii ELIZABETH, b 25 Aug. 1806, d 28 March 1823
iii JANE, b 30 Apr. 1808, m Peter Stocker Martin of England
iv JOHN, b 6 Nov. 1810, m Nancy (or Mary) Martin
30 v ALEXANDER, b 18 June 1812, m (1) Abigail Collins (2) Helen Amoret Morse.
vi MARY, b 17 June 1814
vii ANN, b 22 March 1818
viii LAVINIA, b 11 Oct. 1821
ix LOUISA, b m Charles Ritchie
x TIMOTHY, m Barteaux

6 TIMOTHY[6] SAUNDERS BANKS (Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 9 Dec. 1783, d 26 Feb. 1853 ae 69 yrs., m 8 Jan. 1809 Margaret Bass [Barss], b 24 Dec. 1784, dau of Alden and Christina (Burns) Bass, she d 30 Apr. 1871,, res. Aylesford, N.S. appearing in 1838 Census for Wilmot Tnship. and 1871 Census for Aylesford South. Ch.:

Eliza Ann Bass, b 4 July 1803, m John Crocker. The Wilmot Township book records her marriage 31 Aug. 1820 as Eliza Ann Bass. Family tradition notes her mother as being molested by a British soldier.
i CAROLINE, b 9 Oct. 1809, m James Parker Baker
31 ii JOHN, b 14 Sept. 1811, m Cyrena Ann Spinney
iii MARY, b 30 June 1813, m as (3) Benaiah Spinney
32 iv ALDEN, b 15 Apr. 1815, m (1) Hannah Cogswell (2) Seraphina Patterson (3) Maria (Banks) Whitman

33 v DAVID, b 28 July 1817, m Maria Patterson
vi MARGARET, b 25 Feb. 1819, m John Burns
vii AMORET, b 11 Mar. 1821, m 17 Feb. 1866 as (2) William Henry Harris, son of Joseph Hall and Joseph Hall and Elizabeth (Clark) Harris, Bear River. He m (1) Rachel Beals; 7 ch.
34 viii JOSEPH, b 8 Jan. 1823, m Dorothy Payson
ix ELIZABETH "Betsey", b 15 Apr. 1826, m as (1) James Banks
x DIMOCK, b 15 July 1829, m Elizabeth Goucher

7 ELIPHALET[6] BANKS (Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b ca 1786, m Hannah Saunders, b 1795, dau of Timothy and Martha (Neily) Reagh Saunders, res. Aylesford until 4 Dec. 1820 when they lost their farm through debt. REF: Annapolis Co. deeds, Bk. 32, Pg. 46; Census for Grinton Settlement (nr Springfield, Anna Co.) 1838. Ch.:

35 i TIMOTHY SAUNDERS, b ca 1814, m Mary Burpee
36 ii HENRY SAUNDERS, b ca 1816, m Mary Cropley
iii DAVID, b ca 1819, m Mary Beaufry of New Brunswick
iv JUDITH, b ca 1822, m (1) James Kinney (2) David Morine
37 v ABRAM, b 18 Apr. 1824, m Sarah Rice
vi MARTHA, b ca 1827, m John Robar
38 vii OBADIAH, b ca 1829, m Margaret (Riley) Moody
39 viii THOMAS HANDLEY, b Sept. 1831, m Hannah Maria Ernst
ix EZEKIEL, b ca 1834, d 11 Oct. 1899, ae 65 yrs., Baker, n.i., res. Virginia East, nr Bear River, N.S.

8 GEORGE[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 12 March 1778, d 29 March 1860, m 10 Jan. 1805 Elizabeth Nelson, b 1786 dau of Francis and Elizabeth Nelson. George was a farmer and cooper at Upper Clarence, north of Lawrencetown, N.S. Ch.:

i ELIZA, b 9 March 1807, d 31 March 1811
ii HANNAH, b 25 Aug. 1809, m Burton Chute
iii SARAH "Sally", b 10 Oct. 1811, m Deacon Silas Jackson
40 iv James Samuel Nelson, b. 2 Apr. 1814, m. Dorothy Beals
41 v GEORGE CRAFT, b 22 Junne 1816, m Sophia (Marshall) Chute
42 vi FREDERICK, b 9 Feb. 1819, m (1) Naomi Marshall (2) Seraph Chute
vii ELIZA ANN, b 27 Feb. 1821, m William Jackson, n.i.
vii ISAAC, b 25 Apr. 1823, d 12 Oct. 1826

ix ELEANOR, b 4 Mar. 1826, m (1) Sidney Marshall (2) Samuel Moore

43 x ISAAC, b 13 March 1828, m Eliza Foster

xi MARGARET ANN, b 4 Feb. 1831, m Howard Mayhew of Danvers, Mass.

9 JOHN[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1780 d 1834, m 9 Sept. 1811 Mary "Polly" Farnsworth, b 9 March 1793, dau of Joel and Abigail (Fales) Farnsworth. She m (2) Deacon William Hall and d 1886 ae 93 yrs. res. Hampton Mtn. Ch.:

44 i Deason WILLIAM, b 17 June 1812, m (1) Rachel Elliott (2) Mary Foster

45 ii THOMAS HANDLEY, b 22 May 1814, m Armanilla Marshall.

iii ANN, b 2 May 1816, d 26 Feb. 1819

iv ABIGAIL, b 18 Sept. 1819, d 11 March 1820

v MARGARET, b 5 Feb. 1820, d 1888 ae 68, m Rev. Henry Achilles

vi MARIA, b Sept. 1822, m (1) Wm. H. Roach (2) Arch. Burns Jr.

46 vii HENRY, b 1825, m (1) Rebecca Vidito (2) Rebecca Hoffman

47 viii JAMES, b 1828, m (1) Elizabeth Banks (2) Balcom

ix ELIZABETH, b 1830, m Samuel Judson Balcom

x MARY ELIZA, b 1833, m Weston Johnson, s of Uriah and Eliza J.

10 Henry[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 6 Aug. 1780, d at Clarence, N.S. 28 March 1878, m 17 Dec. 1804 Thankful Farnsworth, b 2 Feb. 1786, dau of Joel and Abigail (Fales) Farnsworth. She d 1870, res. Upper Clarence. REF: Census 1827 & 1838 Ch.:

i MARY, b 6 Oct. 1805, m Charles Foster

48 ii JOEL FARNSWORTH, b 13 Dec. 1807, m Deborah Slocomb

iv CALEB, b 24 July 1812, d unm 29 June 1831

50 v HENRY, b 3 Sept. 1814, m (1) Catherine Durland (2) Wilhelmina Congden

vi LOUISA, b 3 Oct. 1817, m John Wesly Gilliatt

vii FRANCES, b 9 Oct. 1820, m Gideon Beardsley

viii REBECCA, b 3 May 1823, m J. Parker Neily

ix SUSAN, b 3 Nov. 1825, m George Neily

51 x CALEB ANSLEY, b 17 Sept. 1830, m Caroline Rafuse

11 JAMES[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 29 Dec. 1782, d June 1864, m 3 Dec. 1810 Sarah "Sally" Rice, b 1790 dau of Silas and Sarah (Kniffin) Rice, d Aug. 1865, res. nr Port Lorne, N.S. REF: Census — 1827 and 1838. Ch.:

i SILAS, b 14 Sept. 1811, d June 1836

52 ii JOSEPH, b 17 Nov. 1812, m (1) Leah Durland (2) Mehitable Phinney

53 iii JAMES, b 21 Sept. 1814, m Margaret Moody
iv ELIZABETH, b 3 July 1815, m Thomas Elliott
v DOROTHEA, b 27 Apr. 1816, d 29 July 1819
54 vi JACOB, b 25 Dec. 1822, m Ruth Ann Burns
55 vii SIDNEY, b 28 Oct. 1827, m Sarah Parker

12 Capt. CHRISTOPHER[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1785, d Oct. 1883, m (1) 1811 Phoebe Durland, b 1795 dau of Daniel and Elizabeth (Milbury) Durland, d 1836 and (2) Jerusha Longley, b 1812, dau of Isaac and Longley, d Jan 1889, res. Wilmot Township, east of Port Lorne. Ch.:

i ELIZA, b 1812, m as (1) Reis Worthylake
ii CORNELIA, b 1815, m John McKenzie
56 iii CHARLES, b 1816, m (1) Sarah Ann McKenzie (2) Angelina (Slocomb) Whitman
57 iv WILLIAM, b 19 May 1818, m Hannah Rankin
v ANGELINA, b 1820, m as (1) Israel Brooks
58 vi GEORGE, b 1 Jan. 182[2], m Mary Rebecca Messenger
vii MARIA MILLER, b 29 Sept. 1825, m William Crocker
59 ix JOHN WARD, b 22 July 1829, m (1) Rachel McKenzie (2) Emma Frances Warren
60 x RUSSELL, b 1831, m Louisa Marshall
xi JOSEPH CLARK, b 1836, d unm 1859

13 JACOB[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1794 d 6 Sept. 1870 ae 76 yrs., m Elizabeth "Betsey" Witt, b ca 1798 d 15 Jan. 1868 ae 70 yrs., bur Paradise Cem. with son John. Ch.:

i JOHN, b 1820, d 1860, m Mary Neily, dau of Joseph
ii LOUISA, m as (1) John C. Wilson who m (2) Ella (Saunders) Jefferson
61 iii GEORGE, b 1827, m Sarah Ann Durland
iv SAMUEL, d unm
62 v AMBROSE L., b ca 1836, m (1) Sarah E. Whitman (2) Matilda Whitman (3) Armanilla Sproule
vi MARIA L., b 1838, m (1) 21 June 1855 Isaac Whitman (2) Alden[7] Banks, son of Timothy Saunders and Margaret (Bass) Banks, as (3)
vii SARAH BETHIAH, b m James Albert Sproule.

14 FREDERICK[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1797, d 30 July 1884, m 1819 Hannah Graves, b 1796 dau of John and Graves, d 15 Sept. 1881, res. Port Lorne REF: Census — Wilomt Township 1827. Ch.:

i PHILO, b 1820, d unm March 1904
iii ALEXANDER, b 1824, d unm 1891
iv Capt. ISRAEL, b 1827, d unm 7 Jan. 1862. REF: Anna. Co. wills
63 v JOHN, b 1829, m Rachel Wilson
vi ELIZABETH, b 1831, d 1914, m Aaron Charlton

64 vii PHINEAS, b 1834, m (1) Harriet Wilson (2) Sarah Ann Felch
viii ELIZA JANE, b 17 June 1835, d 23 Dec. 1927, m (1) Wm. Dalton Jr. (2) Johnson Corbett, b 2 Nov 1842, d 8 March 1926
ix MARGARET ANN, b 1840, d 1895, m Cortez Dalton, son of Henry

15 WILLIAM[6] BANKS (Joshua[5], Joshua[4], Moses[3], John[2], RICHARD[1]) b 1799 d 6 Aug. 1854, m 1830 Margaret Ann Warwick, b 1811, d 1 Oct. 1891 res. Arlington, ne Port Lorne, Anna. Co., N.S. Ch.:
i MARY ELIZA, b 1832, d 1 Apr. 1888, m 18 Nov. 1854 DesBrisay Balcom, b 1811
ii JESSIE, b 1835, m Thomas Chesley, b 1836, d 1911, son of Samuel and Mary Ann (Delap) Chesley

16 JOSEPH[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2], Richard[1]) b at "Fresh Brook", Barrington, N.S. 23 July 1792, d 14 Jan. 1879, m 1814 Bethia Crowell, b 19 Oct. 1792 dau of Ebenezer and Jerusha (Harding) Crowell, d 4 March 1864 ae 70 yrs. REF: Census 1838 Ch.:
65 i WILLIAM, b 1817, m Rhoda Hopkins
66 ii BENJAMIN, b 1819, m Olivia Banks, dau of John No. 17
iii HANNAH, b 1825, m (1) Gamaliel Banks No. 68 (2) Parker Smith
iv ELIZA, b 1827, m Samuel Hopkins
67 v NEHEMIAH, b 8 Aug. 1831, m 1856 Sophia Cunningham
vi BETHIAH, b 1837, m James Atwood Jr.

17 JOHN[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2], Richard[1]) b 1794 m 1814 Lucy Nickerson, dau of Gideon and Ch.:
i REUBEN, lost at sea
68 ii GAMALIEL, m Hannah Banks, dau of Joseph No. 16, lost at sea. She m (2) Parker Smith
69 iii BENJAMIN, b m Amelia Gabriel of Halifax
70 iv JAMES S., b 1825, d 25 Sept. 1886, m (1) Sarah Nickerson (2) Mary Eliza (Nickerson) Banks, widow of his bro. Zenos
v OLIVIA, m Benjamin Banks, No. 66
vi DRUSCILLA, b ca 1829, d 22 Sept. 1917, m Solomon Nickerson, son of Ensign
vii ZENOS, b 1831, d 1867, m Mary Eliza Nickerson who m (2) James S. Banks No. 70, as (2)
71 viii JOHN NELSON, b 25 Jan. 1838, d 15 Aug. 1917, m (1) Mary Vickery (2) Eliza Jane Crowell

18 ISAAC[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2]) b 1800 m Bethia Nickerson, dau of Reuben and Ch.:
i JAMES, b ca 1837, d 1886, m Lucy Crowell, dau of Ansel

72 ii SIMEON, b ca 1838, m Ada Nickerson
iii ELIAS, m Tabitha Nickerson, dau of Simeon
iv ESTHER, m Thomas Johns
v SUSAN, m Jonathan Nickerson, son of John

19 GAMALIEL[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2], Richard[1]) b in Barrington, N.S. 1802, d 1844, m 1831 Elizabeth Swim, b 1813, dau of Michael Swim. REF: Census - western Barrington Dist. 1838. Ch.:
i ISAAC, b 1831, d at sea 1850.
ii JESSE, b 1833, lost at sea, 1846.
73 iii THOMAS L., b 1835, m Hannah Nickerson, dau of Samuel

20 STEPHEN[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2], Richard[1]) b in Barrington, N.S. 1807, m (1) 11 Feb. 1830 Eleanor Knowles, b 1807 dau of John and Hannah (Hopkins) Knowles, d 1859 (2) Sarah (Cowdey) Atwood. REF: Census — western Barrington Dist. - 1838; N.S. Directory Barrington Passage 1866-7. Ch.:
i SARAH, b 1835, d 1914 m Hiram Nickerson
ii SAMUEL, b 1841, d unm 1895
iii OLIVE, b 1845, d unm 1886
By (2)
iv AUGUSTA, d unm
v DEBORAH, b 1865, d 1935, m William Fraser

21 AARON[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2], Richard[1]) b in Barrington 1809, m 1832 Lydia Reynolds. He is listed as a fisherman in the 1838 Census but is not listed in the 1866-7 N.S. Directory. Ch.:
i SARAH ANN m Robert Reynolds
ii HANNAH, m Reynolds
iii OLIVE JANE, m Warren Huskins

22 THOMAS[6] BANKS (Elias[5], Joseph[4], Samuel[3], Joseph[2], Richard 1) b in Barrington, N.S. 1820, d 29 May 1893, m Mary Nickerson, b 1818, dau of Samuel (Levi), d 1908 Ch.:
i ELIAS, m Sophia Smith; their dau Emma d 3 June 1883 ae 14½ yrs.
ii MARY, b 1845, m Isaac Nickerson, s of Absalom
iii OLIVIA

23 PHINEAS[7] BANKS (Moses[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b ca 1799, m Eunice Dodge, dau of Thomas and Sarah (Benedict) Dodge, who m (2) Alexander Stuart and (3) Charles Woodworth. Ch.:
i JOANNA, b 1821, d 1898, m as (2) Christopher Rainsforth, n.i.
74 ii PHINEAS, b ca 1824, d 15 Apr. 1911, m 1850 Elizabeth (Ruggles) Raymond

24 JOSEPH[7] BANKS (Moses[6], Moses[5], Joseph[4], Moses[3] John[2], Richard[1]) b ca 1804 at Aylesford, N.S., m Hannah Ward b ca 1817 at Digby. Ch.:

i ELIZABETH A., b 2 July 1847, d 2 Nov. 1915 at Fall River, Mass., m Joseph W. Burns.
ii FRANKLIN, b ca 1851, a landowner on Digby Neck (REF: Digby Registry.
iii ALICE L., b ca 9 Nov. 1854, d 11 May 1920 m as (2) George Duncanson
iv ANNIE L., b ca 1856, d 4 May 1926 at 71 yrs., 1 mo., m Winfield Sanborn, son of Marshall and Hester Sanborn.
v EUNICE S., b ca 1860, d 13 Sept. 1877 ae 17½ yrs, Lynn, Mass.

25 EDMUND[7] BANKS (Moses[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b ca 1807, m Eunice Morton, a cousin, b Portland, Mass. ca 1800, d Aylesford 22 Feb. 1875 ae 74 yrs. Census—Aylesford 1871 lists a boy Ernest, b ca 1869, in this family. REF: VR Aylesford.

26 JOHN[7] HEMAN G. BANKS (Moses[6], [5], Joshua[4], Moses[3], John[2], Richard[1]) b 1808, m 23 Jan. 1840 Elizabeth Beals, b 1822 dau of Elisha and Hannah[6] (Banks) Beals. He d 28 Feb. 1870 ae 63 REF: VR Kings Co.

27 WILLIAM[7] BANKS (Moses[6], Moses[5], Joshua[4], Moses[3] John[2], Richard[1]) b 1812, m 14 Jan. 1834 Harriet Patterson, b 1811, dau of James Patterson. REF: St. James Anglican Church records, Bridgetown; Census—Aylesford South 1871. Ch.:

75 i ABRAM, b ca 1837, m (1) Mary Jane Marshall (2) Nancy Jane (Marshall) Banks
ii HANNAH, d 1903
iii SANDY P., b ca 1843, m (1) (2) ca 1874 West.
iv NORMAN, bur. in unmarked grave in new Morristown Cem.
76 v JAMES N., b ca 1849
vi HELEN, bpt 12 May 1867, m William Hodges.
vii NATHAN, b ca 1856, d 9 May 1874 ae 18. REF: VR Kings Co.
viii CHARLES, b ca 1859, bpt 3 March 1878, m Kezia . . . . .
ix GEORGE, b ca 1862
x FLORENCE, b ca 1865, d ae 18 yrs.

28 GEORGE[7] BANKS (Moses[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1821, m (1) Sarah Taylor, dau of Wm. and Lydia (Brown) Taylor (2) Nancy Jane Marshall, b 2 Jan. 1839, dau of Isaac W. and Frances (Easson) Marshall, d 30 Jan. 1832. Ch.:

By (1)
i ELLEN, m (1) ---- Tuck (2) ---------- Brodie
ii SARAH, m Caleb Caldwell, res Brockton, Mass.
iii MARY, b June 1862, d Newton, Mass. 16 Dec. 1879

By (2)

77 iv STANLEY FISHER, b ca 1867, m Elidie M. Ford

78 v DAVID M., b 1876, m (1) Victoria Kesner (2) Ella Maud Sanford

vi JAMES, d at birth 1877

vii FRED L., m (1) (2) Pansy ------- res (1960) Tampa, Florida

viii WILLIAM, lost at sea, WW I, in U.S. submarine

29 WILLIAM[7] BANKS (Richard[6], Moses[5], Joshua[4] ,Moses[3], John[2], Richard[1]) b 11 Aug. 1804, d 10 Feb. 1880, m Ruth Collins, b 1817, d 16 Oct. 1888, both bur. Morristown, N.S. Ch.:

i Mary, b 19 Apr. 1834

ii Robert, b. 18 Aug. 1836, d 4 Sept. 1875

iii James, b 4 May, 1838.

30 ALEXANDER[7] BANKS (Richard[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 18 June 1812, m (1) Abigail Collins, dau of Joseph and Elizabeth Collins and (2) 11 Mar. 1852 Helen Amoret Morse, b 11 Sept. 1830 dau of Jonathan and Elizabeth (Spinney) Morse, she d 12 Mar. 1883. Ch.: My (1)

79 i STEPHEN COLLINS, b 1832, d 27 Jan. 1918, m (1) (2) Ruth A. Person.

80 ii WILLIAM HENRY, b 1836, d 5 May 1918, m Isabel Marshall

iii ANGELINA, b 10 Aug. 1839, m Jonathan Church Morse

81 iv ZASHARIAH W., b 1 Dec. 1841, m Matilda W. Martin

82 v THOMAS A(I)NSLEY, b 22 Feb. 1844, m Emily Jane Barteaux

83 vi INGRAM B., b Apr. 1846, m (1) Mary Collins (2) Josephine M. -------, res. Massachusetts.

84 vii ALEXANDER, b 22 Feb. 1847, m Ada Elizabeth Banks, dau of Joseph No. 33

viii RUTH ANN, b ca 1849, m 27 Dec, 1870 Charles H. Palmer son of Benjamin and Elizabeth (Dunn) Palmer

By (2)

ix ABBIE LAVINIA, b 30 Dec. 1852, m Ordman Hodges

x RICHARD CHURCH, b 24 March 1854, d 26 March 1860

xi CAROLINE ELIZA, b 12 Feb. 1856, m Lewis Beals REF: VR Kings Co.

xii HARRIET MARIA, b 12 Feb. 1857, m Ainslie O. Dunham

xiii JONATHAN REID, b 22 Dec. 1859, m

85 xiv BURPEE URIAH, b 3 Feb. 1863, m Hattie Lightzer

xv ELIZABETH MAY, b 30 Nov. 1866, d 19 Nov. 1878

xvi MYRTLE MAZETTA, b 9 June 1873, d 29 July 1887.

31 JOHN[7] BANKS (Tim. S.[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1811, m Jan. 1834 Irene (or Cyrena) Ann Spinney, b 4 July 1813 dau of Joseph and Sarah (Beech) Spinney, d 1888, Ch.:

i SARAH ANN, b 21 Oct. 1834, m Samuel Barteaux

85 ii JOSEPH INGLIS, b 23 July 1836, m (1) Barbara Mappelback (2) Rachel Marshall

iii ERIC, d unm

iv MARY LAVINIA, b m Simeon Crocker

v EUDAVILLA JANE, b 1845, d unm 1872

vi HARRIET M., m Walter Welton

vii CHARLOTTE E., b 1843, m John E. Banks

viii ELMIRA, mSamson Parker

86 ix ARCHIBALD A., b 1852, m Edith Saunders

87 x TIMOTHY E., b 14 Nov. 1853, m Mitttie W. Parker

xi MARGARET IRENE, b 1857, d 10 May 1858 ae 1½ yrs.

xii HENRY E., b ca 1869

32 ALDEN[7] BANKS (Tim. S.[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1815, d 1897, m (1) 19 Nov. 1842 Hannah Cogswell, she d nine mos. later (2) 14 June 1847 Seraphina Patterson, she d 7 June 1865 ae 37 yrs. (3) Maria[7] L. (Banks) Whitman, dau of Jacob No. 13 and widow of Isaac Whitman (1834-1862), she d 1914. Ch.:

By (2)

88 i ISRAEL, b 6 Mar. 1848, m Harriet Young

ii HARRIET MEHITABLE, b 27 Aug. 1847, m Benaiah Howe "Joe" Morse

89 iii ALEXANDER, b 31 May 1851, m (1) Mary Emma Spinney (2) Edith E. Hutchinson

iv PERCY (or PERRY) b ca 1869

By (3)

90 v AVERY E., b 26 Feb. 1867, m Bertha Spinney

vi HARTLEY L., b 1870, d 1888 or 1928.

33 DAVID[7] BANKS (Tim. S.[6], Moses[5], Joshua[4], Moses[3], John[2] Richard[1]) b 1817, d 28 July 1901, m Maria Patterson, b 1822, d 20 Feb. 1907 ae 85, bur Tremont Baptist Cemetery. Ch.:

91 i JAMES ALONZO, b 30 Jan. 1834, m Charlotte Sophia Banks

ii SARAH E., b 14 May 1849, d 10 July 1930, m Enoch Durland n.i.

iii BENAIAH S., b 1850, d 1928, m Mary E. "Lillie" Foster

iv HARTLEY LAMBETH, b 1851, d 7 July 1852, ae 1½ yrs.

92 v ADONIRAM JUDSON, b 1852, m (1) Nettie G. Bowlby (2) Cassie Gates

vi MARY ETTA, b 1862, m Spurgeon Bowlby.

34 JOSEPH[7] BANKS (Tim.[6] S., Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 8 Jan 1823, d 4 Apr. 1876, m 20 June 1844 Dorothy Payson, b 1825 dau of Bayard and Elizabeth[6] (Banks) Payson and gr dau of Joshua No. 2 d 8 Apr. 1912 ae 76 yrs., bur Tremont Bapt. Cem. Ch.:

93 i INGRAM c., b 1845, m Janetta Lohnes
ii ADA ELIZABETH, b May 1846, m Alexander Banks No. 84
iii JOSEPH DIMOCK, b 1848, m and had dau Ada who was ae 8 yrs at her father's death.
94 iv WILLIAM BAYARD, b 19 Feb 1855, m Emma Helen Beechler
95 v ALBERT OAKLEY, b 14 Feb. 1858, m Jane Rundle Hawken
vii ZILPHA MAE, b 21 June 1869, d unm 9 Apr. 1962. A practical nurse in Newton, Mass. until 1928, she returned to N.S. to make her home with her brother Jos. D. until 1950 and then with Mrs. Ura Bell of Northville, Kings Co., N.S.

35 TIMOTHY[7] SAUNDERS BANKS, Eliphalet[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b ca 1814, m Mary Burpee

36 HENRY[7] SAUNDERS BANKS (Eliphalet[6], Moses[5], Joshua[4], Moses[3], John[2] Richard[1]) b ca 1816 at Aylesford, N.S., Mary Cropley, b 29 Dec. 1816, dau of William and Elizabeth (Hall) Cropley, res. Grinton Settlement and later Wilmot. Ch.:

97 i TIMOTHY S., m 18 June 1836, m Maria Foster
98 ii HANNAH, B m William Henshaw
99 iii WILLIAM H., b 25 May 1841, m (1) Sarah Coombs (2) Isabel ----
iv MARY m George Potter
v LYDIA M., m Arthur Tupper
100 vi JOHN WYATT, m Alfreda Sanford
vii SOPHIA, m John Coombs Jr.

37 ABRAM[7] BANKS (Eliphalet[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 18 Apr. 1824, d 20 Aug. 1909, m 20 June 1848 Sarah Rice, b 2 Aug. 1826 dau of Israel and Lois (Whitman) Rice, d 6 Jan. 1913 Ch.:

i LOIS, b 13 Sept. 1850, d 3 July 1851.
ii HANNAH MARIA, b 15 March 1852, m James McLaughlin
101 iii ISRAEL, b 7 June 1854, m Annie Frude
iv LOIS, b 29 March 1856, m (1) John Barr (2) Addison Rowell
v WILLIAM HALLETT,b 15 Apr. 1859, m 17 Jan. 1884 Eva Mary Johnson, b c 1861 dau of Gardner and Lila Johnson, he d 6 Feb. 1885, n.i.
102 vi GEORGE VanBUREN, b 9 June 1862, m Margaret Milbury
vii JAMES ELIPHALET, b 2 May 1864, d 8 Nov. 1865

viii ABRAHAM OTTIWELL, b 7 Feb. 1866, m 28 March 1889 Elsie Libby, dau of Phineas and Flairella Libby of Turner, Me.

103 ix JAMES ELIPHALET, b 5 Dec. 1867, m Arabelle Peck

38 OBADIAH[7] BANKS (Eliphalet[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b 1829, d 9 Jan. 1901 ae 72 yrs, m Margaret Riley who d 13 Feb. 1902 Ch.:

i CHARLES, d of tuberculosis

104 ii JOSEPH, b 16 June 1858, m Ella May Dakin

iii AVARD, d y of tuberculosis

iv ODESSA, b 1866, d 1894, m John Coombs III (1862-1955)

v (a dau.) said to have m Maynard Berry.

39 THOMAS HANDLEY[7] BANKS (Eliphalet[6], Moses[5], Joshua[4], Moses[3], John[2], Richard[1]) b Sept. 1831, d Wiltham, Mass. 27 Aug. 1909, m 185- Hannah Maria Ernst, b 11 Aug. 1821, d 22 July 1893. Ch.:

i JUDITH, d. inf.

ii JULIA SOPHIA, b 1866, d 1933, m Obadiah Kaulback

105 iii WILLIAM E., b 1856, d 1938, m Ellen Kaulback

iv AMOS L., b 10 May 1859, m (1) Ella Rundlett (2) Alma Ceretha (Marshall) Sweet, dau of Chas. Leander and Mary Jane (Wheelock) Marshall and widow of Rev. Enoch Sweet.

v MANNING, d inf

106 vi EDWARD, b 1859, d 1943, m Ella Jean Robar

vii EUNICE, b ca March 1860, d 13 Sept. 1877 ae 17½ yrs. REF: VR Massachusetts

viii JAMES H., b 1864, d 25 Dec. 1957, m Cora Marston

ix CHARLES, d inf.

SOURCES

The BANKS genealogy has been a co-operative effort of the author with the late Donald A. Banks of Bridgetown and Salem, N.H. and his cousin, the late Marion McCormick of Bear River. In addition to family bibles, personal papers, interviews with older members of the family and extensive correspondence with Banks descendants, the material has been drawn from:

Newspapers

The Digby Courier
The Bridgetown Monitor
The Middleton Outlook
The Christian Messenger

County Histories

WILSON: Digby County
CALNEK/SAVARY: Annapolis County
CROWELL: Barrington Township

Census Records

1827, 1838, 1861 and 1871 for the various electoral districts of Nova Scotia.

Cemetery Records

principally those of Annapolis County by Prof. A. E. Marble.

Vital Records of Nova Scotia and several New England states.

Contributors

DR. ROLAND HAROLD SHERWOOD was born and educated in Amherst, Nova Scotia. He later attended Nova Scotia Technical College.

He has enjoyed a long and varied career in both journalism and broadcasting. He was feature writer for the Halifax Chronicle-Herald for a number of years and author and narrator of radio stories of the Atlantic Provinces on Canadian and overseas networks. He has also had stories and articles published in major Canadian magazines and weeklies.

He has done much research into the history of Nova Scotia, resulting in seven books to his credit. "Pictou Parade", "Out of the Past" and "Maritime Story Parade" . . . these three now out of print and rated as collectors items. Currently on the newstands are "Pictou Pioneers", "Atlantic Harbors", Tall Tales Of The Maritimes" and "The Phantom Ship Of Northumberland Strait."

He has been cited by the Red Cross for community youth work and elected to the Nova Scotia Sports Hall of

Fame in recognition for his prowess in long distance running. He has recently been presented with the Amherst Chamber of Commerce Citizen of the Year Award.

He has retired after many years service from the Maritime Telegraph and Telephone Company and is living in Pictou, where he is a free lance photo-journalist and writes a column for the Pictou Advocate.

BARBARA GRANTMYRE was born in England and came to Nova Scotia as a child. She was educated at Elmsdale and Halifax County Academy. She studied at the Victoria School of Art and Design and taught school in various parts of Nova Scotia. She married Thomas C. Grantmyre of Elmsdale, Nova Scotia and has four children and thirteen grandchildren.

Mrs. Grantmyre is a versatile writer of long experience. Her published works include mystery novelettes, numerous short stories published in Canadian, American and United Kingdom periodicals; a novel *Lunar Rogue,* and several collections of short stories, some of which appear in Ontario school readers. Over forty of her short stories have been broadcast on CBC radio. Fourteen of her radio plays have been produced by the CBC. These have also been translated and broadcast in Europe. She is the author of *The River That Missed the Boat.*

She was the Nova Scotia representative on the National Executive of the Canadian Authors Association; a member of ACTRA; and of the East Hants Historical Society.

One of her stories was cited in Best American Stories, 1956, and she was the sole Canadian writer to win an award in the Cosmopolitan Magazine short story contest in the early fifties. We regret to inform our readers that Mrs. Grantmyre passed away recently.

KEITH ALFRED HATCHARD was born at Poole, Dorset, England and received his early education there. He attended Sir George Williams University and Saint Mary's University where he was granted the degree of Bachelor of Commerce and Master of Business Administration.

He has written numerous University papers and is interested in local history and genealogy.

Mr. Hatcher is Senior Contracts Administrator at Hermes Electronics Ltd. of Canadian Marconi Company and resides in Dartmouth, Nova Scotia.

ALAN EASTON is from Montreal. He is an author of some note, having written many true and fictional stories. He is the author of *50 North — Canada's Atlantic Battleground* and a recent book, *The Adventures of Captain Haylestone.*

Mr. Easton lived in Halifax throughout World War II and still returns to Nova Scotia periodically. He is retired and lives in Vermont during the winter months.

J. FURBER MARSHALL was born and educated at Kingston, Nova Scotia and joined the telephone company in 1942. He is now historian with that company at Middleton and a member of the Genealogical Committee of the Nova Scotia Historical Society.

Book Reviews

LORNA INNESS

Trials and Tribulations of a Bluenose Barrister,
By R. A. Kanigsberg, Q.C.
80 pages, paperback, published March 1977
Petheric Press, $3.95

"No one but a lawyer can understand what a sense of responsibility one may feel toward a client."

—Clarence Darrow

This heading of one of the chapters of R. A. Kanigsberg's account of his experiences practicing law in Nova Scotia, sums up rather well his attitude toward the law in general and his clients in particular.

The book is a collection of very short "chapters", really separate recollections—sometimes even brief anecdotes, which represent a unique blending of a dedication to the law and its purposes, a sense of wonder and frustration at some of the paradoxes to be found in the law and a keen appreciation of the humor that lies in the vagaries of human nature.

Kanigsberg is a realist, as anyone who practices law successfully must be, but he shows a sense of compassion for the genuine need and, for righting the genuine wrong.

There are lighthearted vignettes about people who have shown one side of their nature before the case was won and another side of it afterwards. One case in particular, involving one man's two attitudes to drunken driving, reminds us of the truth of that phrase about whose ox is gored.

The reasons that prompt people to resort to the law are many and varied, property disputes loom large among them. And don't ever trifle with Mr. Kanigsberg over a forsythia bush!

But there is also some interesting legal history in the making included in these memoirs, the struggle to set up family courts in this province, for instance.

To commemorate this occasion, the society has had reprinted in two volumes the texts of the first eight annual reports and collections of the fledgling society.

The historical society, patterned after earlier ones existing in England, came into being on the afternoon of June 21, 1878, when officials and distinguished citizens gathered in the Legislative Council Chamber to hear a lengthy—very lengthy —address by Lieutenant-Governor Archibald. It is possible that even the most optimistic of those present did not look ahead to an eventual 100th anniversary of the society.

In making his first annual report in 1879, J. T. Bulmer, recording secretary, observed that "If we collect, preserve and publish the memorials of other days, the public will be sure to appreciate and assist us." One can only assume that this has been the case.

As a digression, it is interesting to note that even 100 years ago, the society was asking writers to send autographed copies of their books, and editors and publishers of periodicals to send their publications to the society's library. In these days of easier printing and greater production, ensuring that a copy of each book published in Nova Scotia and each paper or article relating to it is preserved and recorded remains a difficult task.

Volume One contains volumes one-four of the society's reports, while Volume Two contains volumes five to eight.

It is worth pointing out here that volume eight contains the text of the History of the Settlement of Halifax by Dr. T. Akins, the first portion of which was delivered as a paper before the Halifax Mechanic's Institute in 1839, and to which Dr. Akins subsequently added material. This history remains invaluable to writers and researchers and will be of special interest to anyone wishing to read an all-purpose year by year "diary" of the growth of the city and its institutions.

While some the these reports are available individually from the society, it is convenient to have them collected in two-volume form. Moreover, the handsome, blue cloth bindings with their silver printing and art work make a spectacular addition to any library and an obvious choice as a presentation gift book set.

Foxy Freddy and His Friends, By Al and Jim Morrison
72 pages, paperback, illustrated, published 1976
Brunswick Press, Fredericton, New Brunswick. $2.50

Foxy Freddie and his woodland friends were the creations of Al Morrison, a radio announcer and musician who, as the Sandman, told bedtime stories for children on the first radio station in Saint John. That was during the early 1930s; the program came to an end before the outbreak of the Second World War and the station is now CHSJ.

When, in later years, Morrison was faced with finding stories to entertain his grandchildren, he created Foxy Fred-

One must marvel at the need of any lawyer to display almost Solomon-like judgment—interviewing clients in his own office, let alone in court. And referred to frequently in the course of the recollections is the changing of public attitudes and morals on the one hand, and, on the other, another old maxim that the more things change, the more they stay the same.

The book is easy reading—leading one to sober reflection in some instances, but more generally providing a source of entertaining reading.

Not Tears But Applause, By Dorothy Evans
75 pages, illustrated, paperback, published April, 1977
Lancelot Press, $2.50

This is a brief, simple, and intensely moving account of Doreen Beckett, a Halifax resident who has been a paraplegic for most of her life not, as is the case so often these days, because of an accident, but because of polio contracted in her early 20s.

A young wife and mother of two children when she was stricken with the disease, Doreen Beckett was to be faced with not only the rigors of accepting her position, of coping with pain and disability and of learning how to live in a wheelchair. She faced, also, the breakup of her marriage and the need to become principal breadwinner for herself and her two children.

Without seeking aid from various social services, Doreen Beckett began doing clerical work at home and eventually set up a medical secretarial service for four Halifax doctors.

The years have brought her additional illness, the loss of one leg, sessions in hospital when she was unable to work and what must surely have been times of the bleakest despair. Through all her trials, however, this woman has maintained a selfless interest in the problems of others and an spirit and cheerfulness which have proved a blessing to those who come into contact with her.

Doreen Beckett is back at work, this time operating a small secretarial service with several other women. She continues to support herself without government welfare aid.

The royalties from the publication of this book by retired teacher Dorothy Evans "are assigned to Doreen during her lifetime for her sole use and benefit."

The Nova Scotia Historical Society 1878-1978
two volumes, hardcover, published 1976
Mika Publishing Company, Belleville, Ontario
$25. each volume.

In 1978, the Nova Scotia Historical Society will mark its 100th anniversary of seeking to gather information relating to this province's history, of encouraging interest in its heritage and of "preserving its muniments."

dy, and a host of characters to share his adventures: Mrs. Fox, Tom Coyote, Old Jeff Muskrat, Timmy Meadow Mouse, Long Bill Heron, Mr. Coon, Blinky Owl and others.

Some of these stories have been compiled by Morrison's son and appear for the first time here in book form.

Some stories teach a lesson, such as Foxy's dream in which his friend, Tom Coyote, has a bad toothache because he has neglected his teeth and is finally persuaded to seek the help of a dentist. Others are gently amusing with minor misadventures. All of the stories will foster an interest in woods creatures and a love of wildlife, a point which is made in the foreword to the book by Mrs. Aida Flemming, founding president of the Kindness Club.

The black and white illustrations by Sheila Cotton show a whimsical understanding of bedtime story animals and are especially attractive.

The Postage Stamps of New Brunswick and Nova Scotia, By Nicholas Argenti
223 pages, hardcover, illustrated, published 1976
Quarterman Publications, Inc., 5 South Union Street, Lawrence, Massachusetts 01871, $35 (U.S.)

This is one of those books of particular interest in this province, which is produced by a small specialty publisher elsewhere and sometimes goes by unnoticed here.

The author passed away before this book, sponsored by the Royal Philatelic Society, London, could be published. Argenti was particularly interested in the postage stamps of New Brunswick and Nova Scotia and was considered "an expert hunter" of stamps and their lore by the Society.

In the foreword to the book, John Wilson, of the Society, observes that "For the first time a book under the auspices of the publications committee gives the author's careful estimate of relative rarity, an innovation largely demanded by modern collectors, and of special value to fellow specialists."

The book is in two parts, part one dealing with the pence issues of 1851 postmarks, first issues, forgeries and post office regulations for New Brunswick, the equivalent material for Nova Scotia, with the addition of the Atlantic Mail Boat cancellations.

It is noted that an authentic account of the first adhesive stamps of the two colonies is possible because of the existence of the detailed records kept at the time by the stamp printing firm of Perkins Bacon & Company, London, which have been preserved by the Royal Philatelic Society.

There is particular interest in the itemized list of the contents of two tin deal cases sent to "The Hon. Joseph Howe, Provincial Secretary, Halifax, Nova Scotia, O.H.M.S. Immediate," containing sheets of stamps for each colony, and cannisters of cancelling ink, 60 brass cancel stamps, and sundry other items relating to their use.

Part two of the book deals with the cents issues of 1860, again giving separately the quantities and dates of issue, the die and plate proofs, stamps, reminders and forgeries, regulations, postal rates and covers, for both New Brunswick and Nova Scotia.

The appendix contains plate varieties of the New Brunswick and Nova Scotia pence issues, and constant plate varieties or flaws of the cents issues.

This book will be invaluable to the serious enthusiast and adds its own fascinating insight into the history of the two provinces.

* * *

As spring brings more people out to see the bird and plant life along our shores, three small booklets published by the Nova Scotia Department of Lands and Forests are of particular interest. They pertain to Risser's Beach, Lunenburg County, and are available there during the summer months. They can be bought, however, at the Nova Scotia Government Bookstore at 55 cents each, and their contents would be useful in studying other beaches and salt marshes throughout the province. The booklets were prepared by Donald R. Pentz for the Parks and Recreation Division of the department.

Some Common Shore and Ocean Birds

This 30-odd page paperback contains brief notes about 16 birds you are likely to see on or near our beaches. There are interesting bits of information about how to recognize the birds, about their nesting and feeding habits. Given with each bird is its period of residence in Nova Scotia which is helpful if one is looking for the arrival of a particular kind of bird, for example, waiting in early April for the return of the Great Blue Herons to coastal waters, or the return of the Cormorants to their nests on the wharf pilings in Pictou Harbour.

There are black and white illustrations of the birds.

Salt Marsh Trail, a self-interpretive trail guide booklet.

This book discusses aspects of a salt marsh from the mud flats and clam beds to the swampy areas with their rich assortment of grasses, and the trees which manage to find a secure hold and grow in the marsh area. Marsh insects and life of various kinds are also discussed, and again there are black and white sketches to help the student recognize distinctive features of the marsh.

As Donald Pentz notes: the "salt marsh is usually sloppy to walk through and most people just stand at its edge, losing themselves in deep thought as they look out over the expanse of grass and water . . . Don't worry about the mud . . . it will wash off. All too often the only attention paid to the marsh is a casual glance as we walk by on our way to the beach . . . "

This booklet—which applies particularly to the Risser's Beach area, but will be equally useful in other sections of

the province—will help the reader to gain a greater understanding of the life and changing seasons in the marsh, and a greater appreciation of the wonder and beauty to be found there.

Some Common Beach Finds

Beach combing is a universally popular sport, whether it's a search for firewood for a bonfire or a hunt for delicate shells and sand dollars cast up by the waves.

This booklet will help readers recognize some beach creatures they may have seen but taken for granted, and give them a better understanding of what lives at the edge of the tide.

Those small black "pods" often found in the dried grass and weeds at the tideline, are nicknamed "Mermaid's Purse," and are empty skate egg cases. The spiny home of the green sea urchin may be seen on rocks along the water's edge. But they are a favorite food of gulls and may be found, smashed open, yards inland from the beach where hungry birds have dropped them from the air to break the shells and obtain the food within.

Beach hoppers, sand worms, and a variety of shell creatures are sketched and described in this booklet.

Without Our Past?, By Ann Falkner
242 pages, illustrated, published January 1977
University of Toronto Press, $15 (cloth); $5 (paper).

Ann Falkner, who helped to compile the Canadian Inventory of Historic Buildings, has drawn her title from a line in John Steinbeck's play, The Grapes of Wrath: " . . . How will we know it's us without our past?"

The message is clear—the role of the past, in this instance, specifically of our architectural past, in establishing our culture and our nation as we know it today and the role of that past in shaping the future.

Speaking of the Canadian identity, Ann Falkner observes that "Be they residential or commercial, eighteenth- or nineteenth-century, wood or stone, the buildings say this is Montreal or Halifax or London or Victoria. The most tangible features of any cityscape are its buildings and the environment that enhances and surrounds them."

Ms. Falkner notes that many poor examples of architecture, best forgotten in any event, have not stood the test of time and that not all that is old is necessarily worthy of preservation; that some "old buildings are not adaptable for today's use and that they "frequently do not justify the costs of retention."

The book is written for the lay people in the preservation field rather than the experts and it is a good fundamental guide, not only to how to go about selecting and preserving an old building, but how to develop a sound reasoning and approach to the whole question of restoration.

Chapters deal with such aspects as preservation policies at various government levels, what programs of assistance exist and what they are intended to cover.

Discussing the philosophy of preservation, she lists nine main uses: single museum, village type of 'living' museum, commercial development, rehabilitation for low income housing, renovation for town house, infill or conversion development, neighborhood improvement programs, institutional adaptation and historic area designation. Examples of these uses may be found throughout this province, ranging from the restoration work at Louisbourg to neighborhood and individual renovation projects in the North End of Halifax.

The section of the book dealing with evaluation will be of special benefit to individuals or groups contemplating restoration work. The chapter discusses historical priorities, how to score buildings, and lists people and groups to approach for funds and/or support.

There is much valuable information for the lay reader in this field, including explanations of many of the terms and the language used by planners and architects and others involved in the various departments and businesses with which would-be renovators and restorers must learn to deal.

There are also some suggestions on fund-raising; I liked the one about the children's hospital building fund which added some $3,000 to its coffers when members of the general public were asked to autograph, at a cost of $1 each, the final beam to be used in the building of the hospital.

This book, added to an already keen interest on the part of the readers, will provide much vital time and cost-saving information and stimulate the imagination.

Cross-country Canada, by Michael Keating
212 pages, illustrated and maps, paperback, published 1977
Van Nostrand Reinhold Ltd., $6.95

This is another guide book in response to the growing popularity of cross-country skiing. The foreword to the book is written by H. Smith-Johannsen, Chief Jack Rabbit, who has been an active winter sportsman since the 1890s and who is generally accepted as the "father of cross-country skiing."

He writes that cross-country skiing has been "a normal means of transportation" in his native Norway "for 4,000 years" and that developers, with fancy equipment and snow conditions, are " . . . trying to turn the sport into yet another kind of money-making rat race . . . "

Johannsen writes that "the key to the real joy of ski-touring lies in dependable, durable, simple equipment with which one can leave the beaten trail and skim the fresh snow, penetrating with minimum effort into new and untrampled territory."

"Untrampled territory" in some areas will be hard to find as the author notes in his preface that in 1976 some 1,000,000 Canadians were out there trail-blazing their way through the winter wonderland.

However, with over 400 routes and more than 11,000 km of skiing "from St. John's, Newfoundland, to Victoria, British Colombia and from the heart of Toronto to the high Arctic," there should be space for all.

Keating's guidebook describes the basic type of equipment—skis, boots, bindings, poles, clothing, and gives advice as to quality and cost.

He goes into detail about basic techniques, touring and winter camping, navigation, winter survival (here again he deals with the importance of equipment, and gives advice on how to find shelter, keep warm, the role of fire, what to do in case of accidents and how to use first aid.

The role of weather cannot be undervalued and the wise woodsman knows something of the essentials of weather, how to read it and what to expect in varying conditions before he ventures into the woods. A separate chapter deals with snow, avalanches, ice and weather generally.

Two other chapters deal with winter photography, almost a sport in its own right, and the car and skier.

The balance of the book discusses the major trails province by province.

The section devoted to Nova Scotia trails, for example, lists in the metro Halifax area, trails in Point Pleasant, the Dingle and Shubie park. Distances, for the most part, are given in kilometres.

Other areas in this province are the Twin Oaks Ski area, near Middleton; Old Orchard Inn trails, between Wolfville and Kentville; the trails at the Wentworth Valley Youth Hostel; Kejimkujik National Park, the Dalhousie Mountain Trails in Pictou County; the Bowater Mersey Trails at the Head of St. Margaret's Bay lands of the company; and trails in the Cape Breton Highlands National Park. Useful contacts at local clubs and addresses are given as well.

The four-page appendix is filled with bits of interesting information such as the rate of the wind chill factor; times required to ski a given distance at different speeds; touring distances for a ski season, trail signs and the offices and awards of the Canadian Ski Association.

Wild Animals I Have Known, By Ernest Thompson Seton
298 pages, paperback, published 1977
McClelland & Stewart Ltd. $3.50

This classic collection of nature tales has been reprinted in McClelland & Stewart's New Canadian Library series, as No. 141.

Alec Lucas who has written the introduction to this edition, observes that Seton's book, first published in 1898, "has

outsold any other book by a Canadian author", and is known world-wide.

Here, in convenient pocket-size format are the stories of Lobo, the King of Currumpaw; Bingo, the story of my Dog; the Yeller Dog, Wully; the Springfield Fox, the pacing mustang; Raggylugs, the story of a cottontail rabbit, and Redruff, the partridge.

Of the story of the crow, Silverspot, Henry Hill Collins, in his Complete Field Guide to American Wildlife, writes: "Ernest Thompson Seton was one of our greatest nature writers. Read 'Silverspot' . . . for an understanding story of the life of a Common Crow."

A Second Book of Canadian Animals, By Charles Paul May
109 pages, illustrated, paperback, published February 1977,
The Macmillan Company of Canada Ltd., $4.95

This book describes 26 animals, large and small, which may be seen in different parts of this country. Together with the 28 animals described in the earlier Book of Canadian Animals, its publishers state, the two books "give complete information on every animal found in Canada, from the small creatures you may see in the country or the woods to the bigger animals living far away in the wilds."

You won't find a Pronghorn antelope or a musk-ox in the woods in Nova Scotia, although you can see caribou in the provincial wildlife park at Shubenacadie. You won't find a Polar bear climbing out of the sea to sun himself on a rock, unless you go to the Arctic.

From spring until fall, the Hoary Bat can be found in each province across Canada with the exception of Newfoundland. It spends the winters, however, like some sun-loving humans—in Mexico.

The mountain beaver differs from its better-known cousin. For one thing, it is not sought for its fur. It prefers to live on land, in a burrow filled with a complex series of rooms and passages. After a hard day out-smarting foxes, skunks, weasels, cougars, eagles and owls, it retires to its burrow in solitude. "The mountain beaver does not seek the company of its kind, unless it is a mother with young." According to May, "the mountain beaver "likes to live alone."

The fisher, too, tends to be a solitary animal. Fishers were brought into Nova Scotia as a counter-measure to the porcupines, on which they prey.

Each animal is described in a three- four-page chapter, illustrated with a black and white sketch of the adult and the young.

The two books provide interesting, small handbooks for youngsters and May suggest ways in which the brief descriptions in these books can lead the student to further study.

Rocky Mountain Wildlife, By Don Blood
300 pages, illustrated, hardcover, published 1976
Hancock House Publishers, Ltd., 3215 Island View Rd., Saanichton, British Columbia. $24.95

This guide includes some of the animals—the Pronghorn antelope, the cougar—found in the May guide book, and provides a natural, next step in study for junior and senior high school students.

Rocky Mountain Wildlife is divided into two parts.

Part I deals with the what and where of mountain wildlife, describing the various levels of mountain growth from grasslands to glaciation area; with measurements in both feet and meters, and photographs showing the variety to be found at each level.

Each of the vegetation zones is discussed and well illustrated with photographs. The chapter covers mountain mamels—the ungulates, the bears—"an ecological 'in-between' " —mountain cats and dogs, weasels, rabbits, squirrels, beaver and porcupine, and the smaller rodents.

Mountain birds are divided in groups such as drummers and hooters, waterfowl, aerial predators—the hawks and owls—woodpeckers, crows and others.

Throughout the first part of the book the family relationship of the animals and birds is stressed as are their interrelationships.

In Part II, the animals are dealt with more specifically, grouped under the general headings of artiodactyla, carnivora, lagomorpha and rodentia.

Here again, there are illustrations and sketches, as well as maps showing the range, and vital statistics such as weight and length, food, habitat, reproduction and litter sizes.

In this instance, the text is only a half of the book. Each section is profusely illustrated.

The black and white sketches are by Susan Im Baumgarten, who also designed the excellent layout. Born in Switzerland, she studied art in Zurich and Geneva. She now makes her home in British Columbia.

While some of the photographs were obtained from government departments, archives, and various individuals, most of the pictures are the work of Tom Hall, a wildlife photographer living in Penticton, whose work has appeared in many outdoor and naturalist magazines. His work is superb and represents the experience and results of some 15 years spent photographing in the Rocky Mountain wilderness.

The quality of the photographic work is uniformly high, whether in color or in black and white. There are some truly remarkable "candid" shots of animals who didn't know they were on anyone's candid camera.

Don Blood, who wrote the text, has been a government biologist and naturalist in charge of wildlife research in some of Canada's northern national parks. He now operates a private environmental consulting service.