

## "Mickey and Demons" vs. "Bigots and Boobies": The Woodstock Riot of 1847

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SCOTT W. SEE

## “Mickeys and Demons” vs. “Bigots and Boobies”: The Woodstock Riot of 1847

SCORCHED BY THE SUN and ravaged by almost a century and a half of seasons, Loyal Orange Lodge number 38 sits prominently on a gentle slope in Woodstock, New Brunswick. Its foundation is set symbolically on the site of the legendary Orange-Green disturbance of 1847 and is a sullen reminder of tensions between native- and foreign-born Protestants and Irish-Catholics. The silent building stands as a testament to the hegemony of the Orange Order, which was both a fraternal entity and an extra-legal arm of community magistracy and law enforcement in a hinterland community. Equally important, the wooden edifice also stands as an eloquent symbol of the powerful symbiosis of myth and historical “fact”, reminding us of the selection process each of us employs as we extract images from the past and refashion them contextually so that we might make sense of the present.<sup>1</sup> Woodstock’s riot of 1847 involved a complex series of events. It generated compelling material for an analysis of the relationship between competing socio-economic groups; it also provided an excellent opportunity to gain insight into the subtle relationship between historical events, contemporary documents and our collective memory of those events. The silent Orange sentinel on the corner of Boyne and Victoria Streets, a proverbial stone’s throw from St. Paul’s Presbyterian Church, provides a powerful clue to that relationship.

Two investigative leads will be pursued here. The riot itself, as well as its causes and aftermath, will be located in their mid-century setting.<sup>2</sup> In addition, the

1 See William H. McNeill’s cogent argument in “The Care and Repair of Public Myth”, in *Mythistory and Other Essays* (Chicago, 1986), pp. 23-42. An earlier version of the present article was presented at the Eighth Atlantic Canada Studies Conference at the University of Maine, May 1990. The author thanks the three anonymous *Acadiensis* reviewers for their helpful criticisms and suggestions.

2 For important studies of Canadian social violence in the 19th century, see Michael Cross, “The Shiners’ War: Social Violence in the Ottawa Valley in the 1830s”, *Canadian Historical Review*, LIV, 1 (March 1973), pp. 1-26; Michael Cross, “Stony Monday, 1849: The Rebellion Losses Riots in Bytown”, *Ontario History*, LXIII, 3 (September 1971), pp. 177-90; Gregory S. Kealey,

primary evidence historians have relied upon thus far will be scrutinized, and in some cases the value of the documentary record will be challenged. Alternative explanations, based upon previously untapped arrest documents, trial transcripts and census records, yield a more accurate picture of the Woodstock disturbance. For the battle did not represent, as believed by one commentator, a glorious triumph of vigilant Orange forces over lawless and transient Irish-Catholics.<sup>3</sup> On the contrary, the latter were utilizing collective action to maintain their civil rights in the face of an emerging alliance between an expanding local fraternal organization of Orangemen and a sympathetic and repressive officialdom.<sup>4</sup>

Orangemen and those favourable to the Orange cause, with few exceptions, created the surviving contemporary accounts of the Woodstock riot. Provincial and Orange Order historians inevitably mention the disturbance, more often than not in a cursory fashion; moreover they ground their assessments on rather dubious contemporary sources. In fact, two accounts have provided the framework for virtually all subsequent interpretations of the riot. James F.W. Johnston's impressionistic North American travelogue, printed in 1851, was probably the first published source to mention the riot. Johnston, using oral sources culled while on a visit to Woodstock, briefly described the riot between Orangemen and the "Romanists" — or "Mickeyes" as locals customarily referred to them. He placed the burden of blame on both the Irish-Catholics and the Orange Order, and included a fascinating anecdote of a charivari conducted by Orangemen to harass his traveling companion, a legislator who had voted against providing provincial funds for Carleton County's post-riot relief.<sup>5</sup> A native New Brunswicker of Irish-Protestant extraction, William Baird, provided what ultimately became the most heavily utilized 19th-century account. While he neglected to disclose his sources, Baird blamed the riot on the Irish-Catholics for their alleged "abuse of power", which he maintained was a generic Irish "failing". The Orange Order rooted and flourished, according to Baird's assessment, after local Protestants

*Toronto Workers Respond to Industrial Capitalism 1867-1892* (Toronto, 1980); Allan Greer, "From Folklore to Revolution: Charivaris and the Lower Canadian Rebellion of 1837", *Social History*, XV, 1 (January 1990), pp. 25-43; Terence Crowley, "'Thunder Gusts': Popular Disturbances in Early French Canada", *Communications historiques/Historical Papers* (1979), pp. 11-32; Ruth Bleasdale, "Class Conflict on the Canals of Upper Canada in the 1840s", *Labour/Le Travail*, 7 (Spring 1981), pp. 9-39; George F.G. Stanley, "The Caraquet Riots of 1875", *Acadiensis*, II, 1 (Autumn 1972), pp. 21-38.

3 See William T. Baird, *Seventy Years of New Brunswick Life* (Saint John, 1890), pp. 156-62.

4 For ground-breaking studies of the purposeful crowd, consult George Rudé, *The Crowd in History: A Study of Popular Disturbances in France and England 1730-1848* (New York, 1964); and E.J. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the Nineteenth and Twentieth Centuries* (New York, 1959).

5 James F.W. Johnston, *Notes on North America: Agricultural, Economical, and Social* (Edinburgh, 1851), pp. 55-6.

became “exasperated” with Irish-Catholic behaviour.<sup>6</sup> These two sources, based largely or exclusively on oral testimony and couched in pro-Orange language, provided the documentary grist for the handful of 20th-century historians who have grappled with the Woodstock riot.

W.S. MacNutt, indisputably the dean of provincial history, discussed the riot briefly in his history of the province. While he hyperbolically labeled both protagonists “extremists”, MacNutt suggested that the Roman Catholic “party... caused great disturbances”. Interestingly, MacNutt cited only Johnston’s assessment, and for some perplexing reason he ignored copious reports and correspondence in Britain’s Colonial Office papers, the documentary collection that he overwhelmingly relied upon for his New Brunswick history.<sup>7</sup> Hereward Senior, Canada’s preeminent scholar of Orangeism, also provided a brief account of the disturbance. Citing only Baird’s pro-Orange account, Senior attributed the riot to “Irish nationalists whose presence aroused the fears of Orangemen”.<sup>8</sup> His analysis, decidedly sympathetic to Orange sensibilities, was dutifully noted in passing as the only source in Cecil Houston’s and William Smyth’s more recent history of Canadian Orangeism.<sup>9</sup> Thus recent scholarship on the riot remains superficial at best. Historians have added virtually nothing to two 19th-century accounts, both of which remain either impressionistic or palpably biased, and they have not exploited an abundant number of available sources.

The 1847 riot at Woodstock, an agricultural and lumbering centre, fits well into patterns of social violence and the rise of the Orange Order in New Brunswick as a vehicle of institutionalized nativism.<sup>10</sup> Approximately 65 miles from Fredericton and close to the United States border, Woodstock huddles against the banks of the St. John River in the province’s northwestern frontier. Settled primarily by disbanded Loyalist soldiers after 1783, Carleton County’s shiretown achieved strategic importance during the early 19th century due to Anglo-American tensions.<sup>11</sup> The British stationed a small detachment of troops in Woodstock to

6 Baird, *Seventy Years*, pp. 156-62.

7 W.S. MacNutt, *New Brunswick, a History: 1784-1867* (Toronto, 1963), p. 347.

8 Hereward Senior, *Orangeism: The Canadian Phase* (Toronto, 1972), pp. 63-4.

9 Cecil Houston and William Smyth, *The Sash Canada Wore: A Historical Geography of the Orange Order in Canada* (Toronto, 1980), p. 72.

10 For a discussion of the Orange Order’s growth, consult Scott W. See, “The Fortunes of the Orange Order in Nineteenth-Century New Brunswick”, in Peter M. Toner, ed., *New Ireland Remembered: Historical Essays on the Irish in New Brunswick* (Fredericton, 1988), pp. 90-105. The now-classic study of nativism is John Higham’s *Strangers in the Land: Patterns of American Nativism 1860-1925* (New Brunswick, N.J., 1955). Two works that have explored Canadian nativism in depth are Howard Palmer, *Patterns of Prejudice: A History of Nativism in Alberta* (Toronto, 1982) and Scott W. See, “The Orange Order and Social Violence in Mid-Nineteenth Century Saint John”, *Acadiensis*, XIII, 1 (Autumn 1983), pp. 68-92.

11 Terrence Kilbride, “The Process of Growth and Change in Carleton County: 1783-1867”, M.A. thesis, University of New Brunswick, 1969, pp. 103-6.

protect the border, and they remained in the 1840s even after the signing of the Webster-Ashburton Treaty. With its Loyalist and garrison background, and an Acadian population some distance away in the Madawaska region and along the north shore, Woodstock was still a relatively homogeneous Loyalist community before the 1830s.<sup>12</sup>

An uneasy alliance between two different styles of life intensified the town's frontier nature. While the earliest settlers staked out and cleared farms in the rich valley soil, many of those who followed preferred lumbering in the hinterlands. Ultimately Woodstock adapted to accommodate both impulses. By the 1840s it catered equally to the needs of its permanent agrarian population and a seasonal lumbering community. Yet farming remained Woodstock's focus in mid-century; three-quarters of the male population in 1851 counted themselves among the agricultural professions.<sup>13</sup>

Woodstock was in fact a generic appellation which comprised three distinct communities. Starting from the south, the oldest settlement nestled at the junction of the river and the road to the American border town of Houlton. "The Corner", as it was known to locals, consisted of a cluster of houses and stores during the 1840s. About four miles upriver, where the Meduxnekeag River flowed into the St. John, the traveller confronted "The Creek", which was the most recently settled community and had the largest population and most commercial services. Two miles farther north lay Upper Woodstock, originally dubbed "Hardscrabble", which was Carleton County's administrative centre. During the period of social tensions in the 1840s, two of the communities engaged in a bitter rivalry over which should be known as the true Woodstock. "The Creek", with its greater population, claimed that it should be the county's administrative headquarters; conversely Upper Woodstock jealously guarded its court house and jail in an effort to retain hegemony.<sup>14</sup>

After its initial settlement by Loyalists, Woodstock attracted growing numbers of farmers and itinerant lumbermen. During the early decades of the 19th century, Protestant immigrants from the British Isles, including Ulster, provided the bulk of these newcomers.<sup>15</sup> But during the 1830s, reflecting provincial immigration patterns, Woodstock attracted large numbers of Irish-Catholics. While previous studies assumed that virtually all Irish-Catholics arrived during the 1840s, Peter

12 Baird, *Seventy Years*, pp. 153-6.

13 Manuscript, New Brunswick Census, 1851, Provincial Archives of New Brunswick [PANB].

14 Peter Fisher, *Notitia of New Brunswick for 1836, and Extending into 1837* (Saint John, 1838), p. 101; Reverend W.C. Atkinson, *A Historical and Statistical Account of New Brunswick, B.N.A. with Advice to Emigrants* (Edinburgh, 1844), pp. 79, 108-9, 168-9; Abraham Gesner, *New Brunswick; with Notes for Emigrants* (London, 1847), p. 172; Esther Clark Wright, *The Saint John River* (Toronto, 1949), pp. 201-3. For the purposes of this paper, "Woodstock" will be taken to mean Woodstock Parish, except for descriptions of the riot.

15 Nineteenth-century Ulster is roughly analogous to present-day Northern Ireland.

Toner's ongoing research has exposed the bankruptcy of this image. After careful assessment of census records and other sources, Toner concluded not only that a number of Irish predated the Loyalists, but that the migration patterns to New Brunswick, including Carleton County, solidified during the early decades of the 19th century. Toner estimated that Catholics and Protestants emigrated in equal numbers from 1815 to 1824, and that throughout the remainder of the 1820s the Catholics probably outstripped their counterparts.<sup>16</sup>

The post-Napoleonic War period witnessed a substantial increase in the number of Irish immigrants to New Brunswick, including Carleton County. By the 1830s they represented the bulk of settlers, a trend that would continue to mid-century. In 1831, for example, one New Brunswick official estimated that Irish-Catholics comprised one-quarter of the total immigrant population.<sup>17</sup> Only in 1853, after the famine immigration and a series of traumatic riots in Saint John, Fredericton and Woodstock, would English immigrants once again outnumber the Irish.<sup>18</sup> Available evidence suggests that a modest majority of the Irish coming before the 1840s traced their roots to the northern counties of Ulster.<sup>19</sup> Moreover, one historian has noted that over one-quarter of New Brunswick's population in 1851 was of Irish extraction, including both natives and immigrants. Of this number, roughly one-third were Roman Catholic. Significantly in Carleton County, of those with confirmed Irish roots, 35 per cent of the total, 84 per cent traced their heritage to Ulster. Virtually all of the Protestants were from the northern counties, and a striking 63 per cent of the Catholics were from the same region.<sup>20</sup>

Overall, Carleton County's population grew by 25 per cent in the decade before mid-century; by 1851, 10 per cent of its inhabitants claimed Irish birth.<sup>21</sup>

16 "The Irish of New Brunswick at Mid-Century: The 1851 Census", in Toner, ed., *New Ireland Remembered*, pp. 106-32.

17 William A. Spray, "Reception of the Irish in New Brunswick", in Toner, ed., *New Ireland Remembered*, p. 228.

18 In the 1851 census, only one county — Restigouche — was an exception to the rule that Irish-born comprised the largest immigrant group. See 1851 New Brunswick Census; and William F. Ganong, *A Monograph of the Origins of Settlements in the Province of New Brunswick* (Ottawa, 1904), pp. 90-120; Hugh Murray, *Historical and Descriptive Account of British America*, 3 vols. (Edinburgh, 1839), vol. 3, pp. 176-9. For a description of the Saint John riots, consult See, "Orange Order and Social Violence", pp. 68-92.

19 Toner, "Irish of New Brunswick", 110-11; Peter M. Toner, "Another 'New Ireland' Lost: The Irish of New Brunswick", in Robert O'Driscoll and Lorna Reynolds, eds., *The Untold Story: The Irish in Canada* (Toronto, 1988), pp. 231-3.

20 Professor Peter Toner, University of New Brunswick, Saint John generously provided the figures cited here. He has pointed out that Carleton County had the highest proportion of Ulster immigrants in the province. According to Toner, Carleton County was virtually "the little Ulster of New Brunswick".

21 New Brunswick Census, 1851; Ecclesiastical returns, New Brunswick Blue Books, 1842-51,

While these numbers are based upon a partial sample, they cast some illumination on an important factor that ultimately shaped the Woodstock riot. Carleton County absorbed a substantial number of Protestants and Catholics who traced their heritage to Ulster, a region with well-established patterns of secular and religious conflict.<sup>22</sup> While a consideration of the ethnic and geographic roots of the protagonists involved in the Woodstock affray is critical, it yields only part of a satisfactory explanation.

Carleton County's changing ethnic composition exacerbated the already turbulent social and economic conditions. Violent incidents involving hard-drinking itinerant lumbermen brought supplemental troops from Fredericton in the late 1830s. Although the militia quickly restored peace, the disturbances created a legacy of animosity and suspicion between Woodstock's farmers and timbermen. The possibility of border problems with the United States, although minimal after the treaty of 1842, continued to underscore Woodstock's role as a tenuous frontier post.<sup>23</sup> Finally, uncertainty in the lumber trade during the "Hungry Forties" cast an economic pall over the region. Thus Woodstock and its environs faced significant problems at mid-century. The spectre of harassing "desperadoes" (to quote the county sheriff) and the ever-present fear of renewed outbreaks filled the imaginations of many citizens.<sup>24</sup>

Like most colonial communities, Woodstock relied on its magistrates, sheriff and constables for maintaining law and order. But the turmoil of the 1840s led many residents to question the effectiveness of their duly appointed protectors. As the Irish-Catholic population increased and became identified with the turbulent lumbering community, Protestants began to seek alternative measures to ensure peace. To many, recent events warranted aggressive countermeasures.<sup>25</sup> Although no conclusive evidence suggested that a single ethnic group predominated among lumbermen, many Protestants believed that Irish-Catholic immigrants inculcated most of the county's violence. The Loyal Orange Order answered the call for increased vigilance in September 1846 when it located its initial Carleton County lodge at Woodstock.<sup>26</sup> Less than a year later, during the organization's

National Archives of Canada [NAC]; Alexander Monro, *New Brunswick, With a Brief Outline of Nova Scotia, and Prince Edward Island* (Halifax, 1855), p. 172; Kilbride, "Carleton County", pp. 66-7; Peter M. Toner, "The Origins of the New Brunswick Irish, 1851", *Journal of Canadian Studies*, XXIII, 1 & 2 (Spring/Summer 1988), pp. 104-19. The first New Brunswick census to include religious affiliation appeared in 1861.

22 See A.T.Q. Stewart, *The Narrow Ground: Aspects of Ulster 1609-1969* (London, 1977).

23 *Two Months on the Tobique, New Brunswick: An Emigrant's Journal, 1851* (London, 1866), pp. 87-8; Baird, *Seventy Years*, pp. 153-6.

24 John Winslow to Colebrooke, 17 March 1842, Documents, New Brunswick Executive Council, PANB.

25 Kilbride, "Carleton County", pp. 66-7.

26 Baird, *Seventy Years*, p. 158; See, "Fortunes of the Orange Order", pp. 98-103.

first public procession, and when Irish-Catholic famine immigration reached its apex, the community experienced a violent ethnic riot.

The Orange Order, a rabidly anti-Catholic fraternal institution with deep roots in Ireland's 18th-century socio-religious tensions, grew dramatically as it capitalized on Protestant fears of the increasingly visible Irish-Catholic community.<sup>27</sup> The spring of 1847 brought tensions between Woodstock's ethnic groups to a fever pitch, when on 21 April several Catholics molested a prominent Orangeman following his public pronouncement that his organization planned a procession for the Glorious Twelfth.<sup>28</sup> The incident touched off a flurry of letters to Fredericton officials asking for additional troops. Several magistrates correctly pinpointed the problem when they argued that the difficulties grew out of "the rancorous feeling at present unhappily created, and rapidly increasing and extending between the Roman Catholic portion of Her Majesty's subjects and the Orangemen organized in this place". Most of the letters, however, evinced a decidedly anti-Catholic tone. Indeed many of Woodstock's officials openly sympathized with Orange principles, and several had already taken the sacred oath of initiation.<sup>29</sup>

A fracas in a public house later in May further illustrated the growing rift between religious parties. Protestant and Orange requests for troop reinforcements intensified. Lieutenant-Governor Sir William Colebrooke, preferring to deal directly with Woodstock Sheriff John Winslow, emphatically rejected the petitions. Throwing the burden of defence back to the community, he recommended that the sheriff call a special session of magistrates to defuse the issue. Winslow followed the instructions, but the peevish justices promptly cancelled the meeting because Colebrooke had failed to contact them personally. The sheriff, who believed that the magistrates sympathized with the Orange Order, deduced that they did not want to risk interfering with the procession scheduled for the Twelfth.<sup>30</sup>

The incident illuminated Woodstock's deep-seated problems. Magistrates sworn to uphold justice supported Orangeism, the Fredericton government

27 For standard treatments of the Orange Order in the Canadian context, see Houston and Smyth, *The Sash Canada Wore*; and Senior, *Orangeism: The Canadian Phase*.

28 The Glorious Twelfth commemorated the 1690 defeat of Catholic King James II at the Battle of the Boyne by the Prince of Orange, King William III.

29 John Connell and others to John Saunders, 1 May 1847, C.O. 188, Colonial Office Records, Public Record Office [microfilm]; J. Dibblee to George Dibblee, 18 May 1847, New Brunswick Historical Society Papers, New Brunswick Museum [NBM].

30 At the time New Brunswick had no statutes forbidding such processions. See MacNutt, *New Brunswick*, p. 347. See also John Winslow to Saunders, 3 May 1847, Documents, New Brunswick Executive Council, PANB; Saunders to Winslow, 8 May 1847, Winslow to Saunders, 14, 17 May 1847, A.K.S. Wetmore to Winslow, 14 May 1847, Saunders to Winslow, 18 May 1847, all in C.O. 188.



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refused to intervene in community affairs, and the sheriff found himself caught in the middle.<sup>31</sup> While he would eventually empathize with the Orange Order and labour tirelessly to repress Irish-Catholics, Winslow exhibited frustration with official inactivity prior to the riot. In one bitter condemnation of the local justices he observed:

I am of opinion that if the Magistrates in Sessions had earnestly and unanimously recommended both parties to desist from preparations for organizations on the 12th July — which are said to be going on — it would have had the desired effect ... and maybe have defeated attempts of ambitious persons who while professing a desire to assist the government would be destroying every thing in their way and would blame the Governor for not sending troops here....<sup>32</sup>

The warnings of a religious collision remained unheeded. The Orange Order still planned a massive procession, Irish-Catholics plotted a counter-demonstration, and Colebrooke placed the onus for keeping the peace on the shoulders of men who could not, or would not, attempt to defuse the powder keg.

As anticipated, Woodstock filled with people on the weekend before 12 July. Orangemen arrived from Carleton County and central sections of New Brunswick. Lumbermen from the hinterland came to observe or to participate in the festivities. And finally, Irish-Catholics — some reportedly from the United States and bordering counties — gathered to assemble a procession of their own.<sup>33</sup> Both sides came heavily armed, and neither bothered to hide its weapons. On the evening of 11 July, four Catholic leaders met with the local priest. The priest warned them of the dangers if they continued their plans for a counter-demonstration. Apparently he argued persuasively, for the men left with a promise to cancel the rally. No evidence suggests that they in fact tried to adhere to their pledge; the wheels of social conflict had been set in motion, and in all likelihood the efforts of a few individuals would have proved insufficient to alter its course.<sup>34</sup>

The Twelfth dawned bright and warm, and brought with it a confirmation that tensions had not abated. Armed men patrolled Woodstock's streets by 9 a.m., and by the time Orangemen emerged from their lodge an hour later, officials

31 The Attorney General, Charles Peters, advised Colebrooke that only special constables should be used locally, and then only if a riot or tumult was "reasonably apprehended". Colebrooke obviously took his advice. See Peters to Saunders, 2 June 1847, Riots and Disasters, New Brunswick Executive Council, PANB.

32 Winslow to Saunders, 25 June 1847, Documents, New Brunswick Executive Council, PANB.

33 *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); Colebrooke to Grey, 30 July 1847, Colebrooke Correspondence, PANB; D.L. Dibblee to George Dibblee, 13 July 1847, in New Brunswick Historical Society Papers, NBM; Baird, *Seventy Years*, pp. 158-9.

34 *New Brunswick Reporter*, 4 August 1848.

feared that a riot would erupt.<sup>35</sup> The Orange plans, ostensibly made to avoid a conflict in Woodstock, included a march to nearby Jacksontown for a sermon at the Baptist Church. Between 200 and 300 Orangemen assembled in front of the lodge and quickly fell into military-style ranks for the three-mile walk. Most carried either muskets or pistols.<sup>36</sup> Irish-Catholics gave the Orangemen a wide berth as they left Woodstock, but continued to muster their forces throughout the morning.

With the community temporarily emptied of Orangemen, the Catholics staged a procession of their own. They numbered roughly the same as their foe, and carried a variety of weapons that included muskets, pitchforks, scythes, axes and wooden bludgeons.<sup>37</sup> After parading in the streets for a few minutes, they proceeded north of “The Creek” for a half mile and positioned themselves alongside the road to await the Orangemen’s return. A team of five watchful magistrates accompanied the Irish-Catholics, including three Orange leaders: Carleton County’s House of Assembly representative Charles Connell, George W. Cleary and storeowner R.S. Demill. In addition, Sheriff Winslow brought a 16-man detachment of British garrison troops under the command of one Lt. Wickham. Scores of curious townspeople also gathered along the road, anxious to witness the unfolding drama.<sup>38</sup> With the troops present for moral support, the magistrates informed the Catholics that it was illegal to carry arms and parade in public. Leaders in the Irish crowd quickly pointed out that the Orangemen, similarly armed, had been allowed to continue their procession unhampered. After much haggling, the authorities persuaded the crowd to retreat to Woodstock on the condition that the Orangemen would be prohibited from carrying arms and marching in ranks on their return from Jacksontown.<sup>39</sup>

After the crowd had dispersed, the delegation of magistrates proceeded to Jacksontown to inform the Orangemen. Orange leaders reluctantly agreed to cooperate, but only after devising a plan to retain their weapons. They would not “march” back to Woodstock, but they would “walk” in file. Their arms would

35 *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); Baird, *Seventy Years*, pp. 158-9.

36 Winslow to Saunders, 14 July 1847, in C.O. 188; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); D.L. Dibblee to George Dibblee, 13 July 1847, New Brunswick Historical Society Papers, NBM; *Loyalist*, 16 July 1847; *Morning News*, 16 July 1847; Baird, *Seventy Years*, pp. 158-9.

37 D.L. Dibblee to George Dibblee, 13 July 1847, New Brunswick Historical Society Papers, NBM; *New Brunswick Reporter*, 17 March 1848; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); Baird, *Seventy Years*, pp. 158-9; *Loyalist*, 6 April 1848.

38 *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847).

39 Winslow to Saunders, 14 July 1847, C.O. 188; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); *New Brunswick Reporter*, 17 March 1848.

not be carried, but would be placed in a wagon that would trail the procession.<sup>40</sup> The Orangemen, most certainly with the blessing of brethren magistrates, clearly circumvented the spirit of the compromise.

The Irish-Catholics, on the other hand, ultimately chose to ignore the agreement. After an hour of milling around and parading in Woodstock, they reconvened on the outskirts of town. With a sharp slope at their backs, they positioned themselves in a line parallel to and about 50 yards from the road to Jacksontown. Thus ensconced, they waited for the Orangemen's return. In open defiance of their bargain with the magistrates, the Irish-Catholics risked an official rebuke. It came moments after the authorities had arrived. One of the justices read the Riot Act, and the crowd was given the prescribed hour to disperse.<sup>41</sup> As a precaution, Lt. Wickham stationed his troops 200 yards up the road in the direction of Jacksontown.

These troops successfully intercepted the returning Orangemen. Discovering the wagon filled with weapons, they instructed the magistrates to disband the procession. The Orangemen also received a reading of the Riot Act, but after spying the Irishmen entrenched along the road, they asked the magistrates for permission to arm themselves. After the request was denied, the Orangemen decided unanimously to continue their procession. Much as the Irish-Catholics had done hours earlier, the Orange brethren willingly prepared to meet their foe in battle.<sup>42</sup>

The great Woodstock riot thus commenced with both crowds acting in open defiance of the law. The Orangemen marched from the interception point with the troops until they were directly in front of the Catholics on the hill. Lt. Wickham, instead of positioning his detachment between the belligerent parties, remained at a right angle to the road at the rear of the Orange procession. When the Orangemen reached the street where their lodge was located, the Irish-Catholics purportedly opened fire. Whether or not the opening salvo came as a single shot or a volley remains unclear; however, it yielded sufficient provocation for the expectant Orangemen. Quickly arming themselves from the wagon, they returned the fire and mounted an assault on the Irishmen's positions.<sup>43</sup>

40 *Loyalist*, 23 July 1847; *Morning News*, 16 July 1847; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); *New Brunswick Reporter*, 17 March 1848.

41 Baird, *Seventy Years*, pp. 158-9; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847).

42 Charles Connell later claimed that the Orangemen defied the orders of authorities in order "to protect" villagers from Roman Catholics, a good example of the vigilante response of Orangemen to Irish immigration. See his address to the House of Assembly, in *New Brunswick Reporter*, 15 March 1850. See also *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); Baird, *Seventy Years*, pp. 158-9.

43 Winslow to Saunders, 14 July 1847, C.O. 188; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); *New Brunswick Reporter*, 17 March 1848; Baird, *Seventy Years*, pp. 158-9.

Chaos broke out among the Catholics as soon as the Orangemen charged. According to eyewitness accounts, they broke ranks and desperately tried to escape. Orange leaders pursued their foe on horseback, bayoneting several men and rounding up dozens for arrest. Scores of Catholics disappeared into the woods north of Woodstock, while some of their companions surfaced days later in Houlton. Still others fled across a log jam on the Meduxnekeag River. Acting in concert, the British troops, civilian authorities and Orangemen captured dozens of Irish-Catholics near the scene of the riot. While the crowds traded hundreds of shots, the soldiers abstained from firing their weapons.<sup>44</sup>

By late afternoon, the rioting continued only in sporadic skirmishes. Authorities placed the captured Irish-Catholics under guard in Woodstock. Each crowd quickly removed its dead and wounded, thereby precluding an accurate assessment of casualties.<sup>45</sup> The handful of wounded in the initial reports later gave way to accounts of scores of serious injuries and up to ten people killed.<sup>46</sup> While every account of the riot disagreed on casualty figures, no one questioned the fact that gunshot and stab wounds abounded. Moreover, observers unanimously agreed that the Irish-Catholics suffered most of the bloodshed and had the only confirmed dead.<sup>47</sup>

The inequitable casualty rates illustrated one of the many deficiencies in the available accounts of the Woodstock riot. A close inspection of the documents indicated the following: except for one brief eyewitness report in the *Morning News*, a Saint John newspaper, Orangemen or Protestants sympathetic to the Orange cause produced all of the accounts. John Baird, John Connell and several magistrates claimed Orange membership at the time of the riot. John Dibblee and Sheriff Winslow, while not being members, obviously sympathized with the fraternity and strongly disapproved of Irish-Catholic settlement in the Woodstock area.<sup>48</sup> The most extensive narratives available to the public were found in the provincial Orange organ, the *Loyalist*, and in the pro-Orange

44 John Dibblee and others to Saunders, 12 July 1847, Documents, New Brunswick Executive Council, PANB; Baird, *Seventy Years*, pp. 158-9; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847).

45 One account reported that a badly wounded Catholic was secreted across the American border at Houlton in women's clothes. See Baird, *Seventy Years*, pp. 158-9.

46 John Dibblee and others to Saunders, 20 July 1847, in C.O. 188. Senior, using an Orange source, claimed a total of 70 casualties. See *Orangeism: The Canadian Phase*, p. 64.

47 Colebrooke to Grey, 30 July 1847, Colebrooke Correspondence, PANB; John Dibblee and others to Saunders, 12 July 1847, Documents, New Brunswick Executive Council, PANB; John Dibblee and others to Saunders, 20 July 1847, in C.O. 188; *Woodstock Telegraph*, 14 July 1847 (Reprinted in *Gleaner*, 17 July 1847); *Loyalist*, 16 July 1847; *Morning News*, 16 July 1847; John Dibblee to George Dibblee, 13 July 1847, New Brunswick Historical Society Papers, NBM; *New Brunswick Reporter*, 17 March 1848.

48 See Baird, *Seventy Years*, passim.; John Dibblee to George Dibblee, 13 July 1847, New Brunswick Historical Society Papers, NBM; and Winslow to Saunders, 14 July 1847, in C.O. 188.

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*Woodstock Telegraph*. And finally, while Lieutenant-Governor Colebrooke attempted to produce a balanced assessment of the riot, his information came almost exclusively from the above-named sources.<sup>49</sup>

The aphorism that only victors write history applied well to the Woodstock riot. While much of the evidence is useful and informative, a careful analysis reveals the deficiency of some of the pro-Orange accounts. They agreed upon the following: both sides were roughly equal in numbers, the Irish-Catholics were armed before the riot and strategically occupied a high ground, and the Orangemen were unarmed and strung out in file only 50 yards in front of their enemy. But these descriptions raise nagging questions, especially from a technical standpoint. How did the Orangemen escape serious injury after the opening salvo, run back to the wagon, arm themselves, and then proceed to rout the Catholics? From a tactical point of view, this stretched the limits of credibility. What happened? Did the Irish-Catholics miss? Were they poor shots? Probably not, for some served as riflemen in the Woodstock militia unit, including a sergeant and several marksmen.<sup>50</sup> In addition, the Orangemen were only 50 yards away, close enough to do substantial damage even without great accuracy. In order to wrest an unequivocal victory from such an unpropitious beginning, the Orangemen needed a phenomenal amount of luck — or different circumstances. Perhaps they were armed at the riot's outset. They may even have fired the first shots. At any rate, they clearly enjoyed superior weapons.<sup>51</sup> Given their overwhelmingly pro-Orange bias, the extant contemporary accounts of the confrontation should be approached with skepticism.

News of the Woodstock riot sent shock waves across the province. Rumours abounded concerning the nature of Woodstock's problems and what transpired during the disturbance. Colonial newspapers evoked hyperbolic images of "French and Indian" insurrection.<sup>52</sup> But clearly those closest to the events found themselves galvanized and compelled to respond. Woodstock authorities buttressed the constabulary and steeled themselves for Irish-Catholic reprisals. On the evening of 12 July John Dibblee, the pro-Orange magistrate who was also a major in the local militia, distributed 50 rifles and a keg of ammunition to Protestant residents. Sheriff Winslow swore in dozens of special constables, and two days later Dibblee released 100 more rifles to outfit the growing constabulary. Most of these arms passed into the hands of Orangemen who failed to return

49 Consult Woodstock Riot Papers, in Riots and Disasters, New Brunswick Executive Council, PANB; and Woodstock Riot File, in C.O. 188.

50 Baird, *Seventy Years*, p. 159.

51 One legislator, sympathetic to the Woodstock Irish-Catholics, claimed that the Orangemen were issued militia weapons for the 12 July procession. This was probably true; militia arms would likely have bayonets attached, and several Catholics were apparently bayoneted. See Martin Cranney's address, House of Assembly, in *New Brunswick Reporter*, 17 March 1848.

52 *Weekly Observer*, 20 July 1847; *New Brunswick Reporter*, 16 July 1847.

them. Clearly, the boundary between Orangemen and Protestants blurred and disappeared in the effort to prevent a possible Irish-Catholic offensive.<sup>53</sup>

When magistrates asked the lieutenant-governor to reinforce the local military detachment to discourage Irish-Catholics from trying to liberate their compatriots, Colebrooke posted 21 additional soldiers to Woodstock. They arrived on 14 July with instructions that their presence should be entirely symbolic. The lieutenant-governor and his counsellors prudently wanted to avoid a direct confrontation between British regulars and Catholic settlers. The troops were to be used only if all other methods of preserving the peace failed. Woodstock received instructions to prevent future riots, guard the prisoners and guarantee the accused a judicious and pacific trial. Colebrooke's soldiers followed his orders to the letter; after three months of inactivity, they returned to their Fredericton base on 19 October.<sup>54</sup>

Woodstock's authorities, responding to Colebrooke's wishes, relied on the pool of local Protestants for support. They faced formidable problems. The Carleton County jail, destroyed by a fire in 1845, still awaited replacement.<sup>55</sup> The sheriff commandeered the top floor of the court house in Upper Woodstock to hold the Catholic prisoners. His constabulary, now swollen to 112 heavily-armed Protestants, blanketed the region hunting for suspects in the days following the riot. The search, which was restricted only to Catholic households, yielded immediate results. On 14 July officials counted 66 prisoners. Most had been arrested in the riot's aftermath on intelligence supplied by Orange participants. Seven more were added two days later. As the number of prisoners grew, so did the fear among Protestants that free Catholics would mount an assault on the court house to aid their friends.<sup>56</sup>

While Colebrooke had implored the magistracy to act swiftly and with "rigid impartiality in enforcing the law against all disturbers of the peace", it was clear

53 John Dibblee to Lt. Col. Shore, 14 July 1847, in C.O. 188; John Dibblee to Colebrooke, 6 September 1848, Documents, New Brunswick Executive Council, PANB.

54 Colebrooke to Saunders, 14 July 1847, Colebrooke Correspondence, PANB; Lt. Col. Shore to Major Dibblee, 15 July 1847, in C.O. 188; Saunders to Woodstock Magistrates, 14 July 1847, Documents, New Brunswick Executive Council, PANB; Saunders to Winslow, 15 July 1847, in C.O. 188; Executive Council Minutes, 14 October 1847, PANB; *New Brunswick Reporter*, 22 October 1847; *Loyalist*, 21 October 1847.

55 Although the sheriff and justices complained about the lack of an adequate jail from 1845-7, no action had been taken on the construction of a new one by July 1847. See A.K.S. Wetmore to Saunders, 24 November 1846, Legislative Assembly Reports, PANB; Special Session Minutes, Carleton County, 23 November 1846, Legislative Assembly Reports, PANB; Executive Council Minutes, 10 December 1846, PANB; Winslow to Saunders, 27 March 1847, Documents, New Brunswick Executive Council, PANB.

56 John Dibblee and other magistrates to Saunders, 14 July 1847, John Dibblee to Lt. Col. Shore, 19 July 1847, Riots and Disasters, New Brunswick Executive Council, PANB; John Dibblee and others to Saunders, 16 July 1847, in C.O. 188.

that the force of the state was directed primarily at the Irish-Catholics.<sup>57</sup> Not one Orangeman was arrested for participating in the 12 July disturbance. Instead, Orange brethren participated at all levels of Woodstock's judicial system — the magistracy, constabulary and militia. Moreover, on 28 July Colebrooke's executive council added an insidious wrinkle by appointing a special commission to gather evidence and testimony for the rioters' trial. Spearheading the panel were George Cleary, the master of a local Orange lodge, and John Bedell, who publicly sympathized with Orangeism.<sup>58</sup>

Despite the inequitable nature of maintaining the peace after the riot, legitimate causes for alarm lingered. Sporadic violence erupted between Orange and Catholic individuals in the weeks after the Glorious Twelfth. On 21 July an unidentified assailant fired upon an Orangeman who had been involved in the riot as he left his home in Woodstock. Incendiarism was also evident as a barn, grist mill and oat kiln, all belonging to Protestants, met a fiery demise in July and August. While Orangemen blamed the Irish-Catholics — whom they branded "Demons in human form" — for these attacks, authorities never discovered the guilty parties.<sup>59</sup> These incidents illustrated the tensions that pervaded Carleton County during the summer following the disturbance. As the trial date for the accused rioters approached, Protestants redoubled their efforts to hold the Irish-Catholics in check.

On 8 September a special court convened for the trial of the Woodstock rioters. True bills had been brought against all but three of the arrested Irish-Catholics, making a total of 88 defendants.<sup>60</sup> Judges Robert Parker and George F. Street presided, while George Botsford and Solicitor General William B. Kinnear acted for the prosecution. The accused retained an impressive team of lawyers: Lemuel Allan Wilmot from Fredericton and W.J. Ritchie from Saint John designed the defence, assisted by Charles Watters and B.C. Friel, from Saint John and Fredericton respectively. In an attempt to speed the trial and undermine the rights of the accused to challenge the jurors individually, Kinnear dropped the normal felony charge for rioting to a misdemeanor.<sup>61</sup> All of the defendants entered the trial with a "not guilty" plea.

57 Saunders to Woodstock magistrates, 15 July 1847, Saunders to Woodstock magistrates, 17 July 1847, C.O. 188; Colebrooke to Saunders, 16 July 1847, C.O. 188.

58 Executive Council Minutes, 18 July 1847, PANB; Saunders to Wetmore, 19 July 1847, C.O. 188; Wetmore to Saunders, 21 July 1847, Riots and Disasters, New Brunswick Executive Council, PANB; Saunders to Wetmore, 22 July 1847, C.O. 188; Saunders to Charles Peters and William B. Kinnear, 22 July 1847, C.O. 188.

59 *Loyalist*, 17 September 1847; *Woodstock Telegraph*, 24 July 1847 (Reprinted in *Gleaner*, 3 August 1847); *Woodstock Telegraph*, 11 September 1847 (Reprinted in *Gleaner*, 14 September 1847).

60 *New Brunswick Reporter*, 24 September 1847.

61 *Loyalist*, 17 September 1847.

Ritchie opened the defence with a two-pronged attack on the arrangement of the jury. First he argued that Sheriff Winslow had excluded all Roman Catholics in Carleton County when he constructed the jury. Moreover, he claimed that the list of prospective jurors had been hastily assembled before the trial. This was in direct violation of a New Brunswick statute that set an annual 1 May deadline for such lists.<sup>62</sup> Thus, Ritchie argued, Winslow deliberately discriminated against the county's nearly 800 Catholic freeholders. While the prosecution conceded this point, they observed that no Orangemen were empanelled on the jury either. After several days of heated debate, Judge Parker handed down his decision. He found the sheriff's exclusion of Catholics justified because some of the Irish rioters were still at large, and the court should not risk the obstruction of justice by having a participant serve on the jury. He did agree, however, with Ritchie's argument about the technical oversight. Dismissing the objections of the Solicitor General, who claimed that compliance with the jury list law had "never been attended to in this province", Parker postponed the trial until January.<sup>63</sup>

Prudence, rather than a desire for equality, shaped Parker's decision. The judges and the prosecution did not want to risk losing the case because of the skilful manipulation of a technicality by outside lawyers.<sup>64</sup> Orangemen and Protestants, anxious for the incarceration of the Irish-Catholic rioters, bitterly lamented the postponement. The "Mickey" lawyers invented the ploy, one argued, in order to drag out the proceedings so that they could extract more money from the "miserable dupes" they defended.<sup>65</sup> Other zealous Protestants characterized Kinnear's motion to drop the felony charge as treasonous.<sup>66</sup> Despite the condemnation, the judges and prosecutors sought the same goals as the Orangemen.

The judge's decision reflected Carleton County's prevailing mood after the riot. Rather than agree with the defence lawyers, who clearly proved that the sheriff had no right to exclude preemptively a religious group from the jury, Parker applauded Winslow for making a wise decision. He rationalized that a

62 See 31 George III, c. 6, 1791, *New Brunswick Statutes*. The House of Assembly moved quickly to remove this rule so that it would not interfere with the upcoming trial: 11 Victoria, c. 15, 1848, *New Brunswick Statutes*.

63 Kinnear to Colebrooke, 22 September 1847, Colebrooke to Grey, 28 September 1847, Parker to Colebrooke, 24 September 1847, C.O. 188; *Woodstock Telegraph*, 2 October 1847 (Reprinted in *Gleaner*, 5 October 1847); *New Brunswick Reporter*, 24 September 1847; *New Brunswick Courier*, 25 September 1847.

64 Parker to Colebrooke, 24 September 1847, C.O. 188; *Headquarters*, 22 September 1847.

65 *Loyalist*, 24 September 1847.

66 See *Loyalist*, 1 October 1847. The Grand Jury, however, publicly endorsed the solicitor general's actions: *New Brunswick Reporter*, 1 October 1847; *Woodstock Telegraph*, 22 September 1847 (Reprinted in *Loyalist*, 1 October 1847).



fair trial would ensue without Orangemen or Catholics on the jury. With Catholics lawfully omitted, however, only Protestants would be eligible to serve. In a county steeped in Loyalist traditions, even disinterested Protestants would be more likely to favour Orangemen over Irish-Catholic settlers. Thus Parker's decision endorsed discrimination against Catholics.<sup>67</sup> While some Catholic supporters interpreted the postponement as a smashing triumph over the "Bigots and Boobies of the intolerant Orange confraternity", time would prove the tactic a Pyrrhic victory.<sup>68</sup>

The trial officially adjourned on 20 September after authorities brought in an additional 51 bills for rioting, making the total 139 Irish-Catholic defendants. Friel attempted to introduce bills of indictment against Orangemen who participated in the riot, only to have his motions quickly thrown out by the jury. Winslow's handpicked panel obviously found the prosecution of fellow Protestants anathema.<sup>69</sup> The overcrowding at the temporary lock-up in the court house was relieved by the court's decision to release any prisoner who was willing to sign a bond to appear at the next trial. The court set stiff bails, but granted prisoners the option to co-sign recognizances for one another.<sup>70</sup> Eventually, every alleged rioter took advantage of the provision. Although the court appeared humane by freeing the Irish-Catholics, the decision also grew out of the desire to save the county the costs and hazards that would accompany a massive incarceration until winter.<sup>71</sup> Two months after the riot, Carleton County had settled into a restless wait for the trial.<sup>72</sup>

The new year found the uneasy peace intact. The trial was again postponed until 29 June due to the death of Attorney General Charles Peters.<sup>73</sup> Tensions mounted as the date approached. The Orange Order, capitalizing on Protestant fears of Irish-Catholic insurrection, continued to expand its membership and lodges. For example, more than 200 Orangemen marched through Woodstock on 1 June to commemorate the opening of a new lodge. While authorities knew that a procession so close to the trial could rekindle violence, they did nothing to stop the proceedings. Indeed, three of Woodstock's influential magistrates participated in the festivities: George Cleary, who was still acting as a special commissioner for the trial, R.S. Demill and Henry Baird. When Sir Edmund Head, the newly-appointed lieutenant-governor, questioned the wisdom of their

67 Kinnear to Colebrooke, 22 September 1847, Parker to Colebrooke, 24 September 1847, C.O. 188.

68 *True Liberator*, 25 September 1847.

69 *Loyalist*, 1 October 1847.

70 Parker to Colebrooke, 24 September 1847, C.O. 188; *Woodstock Telegraph*, 2 October 1847 (Reprinted in *Gleaner*, 5 October 1847).

71 Kinnear to Colebrooke, 22 September 1847, Parker to Colebrooke, 24 September 1847, C.O. 188.

72 Colebrooke to Grey, 28 September 1847, C.O. 188.

73 Colebrooke memorandum, Executive Council Minutes, 17 February 1848, PANB.

actions, they responded proudly that it was their “duty” to observe the Glorious Twelfth. Distrustful of the intentions of Woodstock’s “Romans”, they joined the procession for “God and Loyalty”.<sup>74</sup> Head mildly admonished the justices, but he refused to remove Cleary from the trial commission.<sup>75</sup> By failing to act decisively in the face of such blatant inequities, the Fredericton government tacitly approved the local policy of Orange favouritism.

Linkages between Orangemen and authorities crystallized at yet another level. Some magistrates and citizens petitioned Head to send a detachment of troops to Woodstock for the trial’s duration. Most of the signatories were Orangemen or sympathizers. Their rationale was that extra protection would be needed when the Irish-Catholics returned to jail to stand trial.<sup>76</sup> Although the probability of the defendants acting tumultuously was minor, primarily because they would appear under their own recognizances, Head agreed that a military unit would be a significant deterrent to any Catholics who planned violence. He dispatched a small detachment to Woodstock with instructions similar to the previous year’s. Orangemen and Protestants both applauded their symbolic presence. The soldiers were to be called only in an emergency, and to diminish the possibility of a military-civilian confrontation, they were to be quartered in a compound on the outskirts of town.<sup>77</sup>

The community’s hostility against Irish-Catholics, however, became sharply focused during the trial. The brethren announced in June that they planned two weeks of celebrations to run concurrently with the proceedings. The festivities would culminate in a grand procession on the anniversary of the riot. With Woodstock’s citizens engaged in a celebration of Orangeism while the court decided their fates, the defendants knew that they faced overwhelming odds against receiving impartial justice.<sup>78</sup>

The defendants were dealt another blow when they appeared for trial. The 57 who presented themselves to the special commission in late June discovered that the jury did not differ substantially from that of the previous September. All Catholics had been excluded; moreover, Sheriff Winslow appointed jurors only from Woodstock and nearby towns. The defendants presented their case to

74 See James McCann and others’ petition to Colebrooke, 30 June 1848, Riots and Disasters, New Brunswick Executive Council, PANB; Saunders to Cleary, Demill and Baird, 5 July 1848, Demill to Partelow, 10 July 1848, Cleary to Partelow, 11 July 1848, Baird to Partelow, 13 July 1848, C.O. 188.

75 Partelow to Cleary, Demill and Baird, 24 July 1848, C.O. 188.

76 Carleton County magistrates’ petition to Colebrooke, 6 May 1848, Riots and Disasters, New Brunswick Executive Council, PANB.

77 Saunders to Wetmore, 13 May 1848, Head to Grey, 15 May 1848, C.O. 188; Head to Lt. Col. Brown, 13 May 1848, Head Letterbook, PANB.

78 James McCann and others to Colebrooke, 30 June 1848, Riots and Disasters, New Brunswick Executive Council, PANB.

Head, who agreed to have Winslow call another panel.<sup>79</sup> The shuffle caused the trial's opening date to be moved to 11 July, one day before the planned Orange demonstration. The Catholic defendants once again appealed to the lieutenant-governor, this time to have the trial postponed until later in July or August. Reluctant to "interfere in favour of persons who were probably guilty of a very gross outrage", Head denied the petition.<sup>80</sup> The trial of the Irish-Catholics would commence on the eve of the anniversary of the Battle of the Boyne. The charges were read in court on 11 July. Then on the morning of the Twelfth, Orangemen from every corner of Carleton County gathered in Woodstock. A large and colourful procession snaked among the town's streets, ultimately arriving at the court house where the rioters finally faced their day in court.<sup>81</sup>

While several contemporary accounts portrayed the accused as being representative of the lower orders and transients without a stake in the community, a careful assessment of trial accounts, arrest records and the provincial census of 1851 suggests otherwise.<sup>82</sup> Of those indicted for the riot, 115 individuals — 83 per cent — can be clearly traced to a Carleton County residency at the time of the disturbance. The remainder undoubtedly comprised temporary labourers, American citizens and visitors from bordering counties. Of the resident group, 68 individuals later appeared in the 1851 New Brunswick census, while the balance left the region or died in the intervening years between the riot and the census.

The profile of those traced to the census, admittedly the most persistent individuals, suggests that they were neither despondent nor disinterested. While almost half lived in Woodstock Parish, all of Carleton County's parishes were represented, including four from neighbouring Victoria County. Eighty-five per cent were Irish-born, with all but one of the remaining New Brunswick-born. Immigration dates of the Irish-born ranged from 1811 to the year of the riot; the overwhelming majority, more than 75 per cent, had been in the province at least 12 years.<sup>83</sup> Thus the arrested Irish-Catholics comprised a significant number of entrenched residents, men whose participation in the riot represented a risk to their families, their jobs, and their status in the community.

An assessment of the group's ages and occupations calls into question the

79 Roman Catholic freeholders petition to Head, 1 July 1848, Riots and Disasters, New Brunswick Executive Council, PANB.

80 Head to Grey, 26 July 1848, C.O. 188. Grey approved of Colebrooke's decision not to meddle in county affairs: Grey to Head, 24 August 1848, C.O. 189.

81 Kinnear to Partelow, 21 July 1848, Head to Grey, 26 July 1848, C.O.188.

82 Executive Council Minutes, 18 July 1847, PANB; Saunders to Wetmore, 19 July 1847, C.O. 188; Wetmore to Saunders, 21 July 1847, Riots and Disasters, New Brunswick Executive Council, PANB; Saunders to Wetmore, 22 July 1847, C.O. 188; Saunders to Charles Peters and William B. Kinnear, 22 July 1847, C.O. 188; Baird, *Seventy Years*, pp. 156-162.

83 The average immigration date was 1831, or 16 years' residency at the time of the riot.

traditional images of a rebellious, youthful and detached cohort. Ages at the time of the riot ranged from 11 to 66; 32 emerged as the average, while 13 individuals comprised the most frequent age group of 36.<sup>84</sup> The portrait of arrested rioters does not render a youthful visage; indeed seven were in their fifties. An occupational evaluation further calls into question the “lower orders” mythology. Sixty-three per cent were identified living as farmers. Labourers, including farm hands, comprised the second largest group with 14 individuals. Shoemakers, several merchants and innkeepers, skilled craftsmen and a sailor accounted for the remaining 11 men. This was not a destitute group, and while admitted transients remained elusive because they did not appear in the 1851 census, the assumption that the arrested Irish-Catholics had no stake in the community needs to be questioned. The individuals who faced the unlikely chances of having an all-Protestant jury render them a judicious decision comprised a significant number of entrenched, middle-aged and gainfully employed men of Irish-Catholic extraction.<sup>85</sup>

Kinnear and Botsford once again handled the prosecution, but the defence had replaced Wilmot and Ritchie with Northumberland County’s John A. Street. Immediate appeals by the defendants to postpone the trial yielded an emphatic denial. The prosecution moved swiftly through the docket, considering the large number of accused. By the time Judge Parker dismissed the jury on 20 July, 35 of the 49 defendants who stood trial had been convicted.<sup>86</sup> The seven found guilty of rioting received sentences from four months to one year with hard labour in the provincial penitentiary. This group comprised farmers, a shopkeeper and an artisan from the Woodstock area who had allegedly been the leaders or armourers of the rioters. They ranged in age from 26 to 52, including the father and son pair of Owen and James Finnegan. Their average date of arrival in New Brunswick was 1833, 14 years before the riot. The remaining 28 were found guilty of unlawful assembly and bound over to the county jail for sentences ranging from one to six months. The overwhelming majority of these were farmers from Carleton County; also included were labourers, artisans and another innkeeper.<sup>87</sup> All were Irish-born, and had resided in the province an

84 The mean age is useful, although it reflects the phenomenon that people often rounded off their birthdays to the nearest decade when the census was taken, either because of convenience, a faulty memory or ignorance of the true year of birth. In this case, the disproportionately high number of 36-year-olds reflects the probability that many people rounded their birthdays off to 40 in the 1851 census; thus the enumerator recorded 1811 as the year of birth.

85 This assessment utilizes the various trial records and Executive Council reports cited above, in addition to the 1851 New Brunswick Census.

86 *New Brunswick Courier*, 22, 29 July 1848; *New Brunswick Reporter*, 21 July 1848; *Gleaner*, 1 August 1848; Kinnear to Partelow, 21 July 1848, C.O. 188.

87 *New Brunswick Reporter*, 4 August 1848; Head to Grey, 31 July 1848, Kinnear to Partelow, 21 July 1848, C.O. 188.

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average of 15 years. Their ages ranged between 13 and 52, the average being 27.<sup>88</sup> Once again, the emerging picture suggests that those sentenced for unlawful assembly were well-established individuals representing a variety of ages and occupations.

The low number of those appearing for trial — roughly half — caused the prosecution concern. They concluded that those absent were guilty of the more heinous crimes and had probably absconded to the United States or other British colonies.<sup>89</sup> Evidence corroborated this in a few cases, but at least 20 Irish-Catholics who failed to appear still resided in Carleton County in 1851.<sup>90</sup> Considering the above analysis of those who chose to face their accusers, no evidence suggests that this group was unrepresentative of Carleton County's Irish-Catholic population. Apparently only the more fervent Orangemen wanted to mount an intensive search for the missing defendants. Most of the county officials welcomed the forfeited recognizances as a source of funds to offset the trial costs.<sup>91</sup> The few attempts to extradite rioters failed; by the winter of 1848 only a handful had been conclusively traced to the United States and none had been returned.<sup>92</sup>

In the meantime, Kinnear remained firm in his commitment to collect the bonds from all of those who failed to appear as well as from the co-signers. As the campaign progressed, distraught Irish-Catholics who were being forced to pay for their friends who had absconded deluged Head with petitions. Over Kinnear's objections, Head suspended the suits against all outstanding debtors in October.<sup>93</sup> The following March, in an effort to close Woodstock's wounds, Head yielded to another Catholic petition drive and released the five prisoners still serving prison sentences.<sup>94</sup> His executive order officially closed the book on the Woodstock riot.

Yet the disturbance spawned a legacy that would shape the lives of Carleton County's residents for years to come. The Irish-Catholic minority, for example,

88 A breakdown by decade follows: 5 were in their teens, 6 were in their 20s, 8 were in their 30s, 1 was over 40, and the ages of 8 were missing from the census.

89 Kinnear to Partelow, 21 July 1848, C.O. 188.

90 Court of Oyer and Terminer, Carleton County, 29 June 1848, Documents, New Brunswick Executive Council, PANB.

91 Kinnear to Partelow, 21 July 1848, C.O. 188.

92 New Brunswick Supreme Court Records, 1848, PANB.

93 Kinnear's report to Partelow, 23 October 1848, Documents, New Brunswick Executive Council, PANB. Many of these petitions were endorsed by the magistrates and the sheriff. See Petitions, Riots and Disasters, New Brunswick Executive Council, PANB; Executive Council Minutes, 26 October 1848, PANB; Head Correspondence, PANB.

94 Executive Council Minutes, 1 December 1848, 24 February 1849; Petitions, Riots and Disasters, New Brunswick Executive Council, PANB; *Royal Gazette*, 28 February 1849; *Weekly Chronicle*, 2 March 1849.

clearly suffered substantial losses during and after the conflict. They probably accounted for most of the riot-related dead and wounded, and certainly all of the arrested. New Brunswick's legal system had contrived to deny Catholic freeholders the right to serve on the jury during the trials.<sup>95</sup> An all-Protestant jury convicted more than 70 per cent of the men who chose to stand in the dock. Even those found innocent suffered the abuse and boycotts of their Protestant neighbours.<sup>96</sup> Irish-Catholics who left the county under a cloud of suspicion often lost their property holdings.<sup>97</sup> But most profoundly, the 1847 Woodstock riot underscored the second-class citizenship of Irish-Catholics in a Loyalist and Protestant-dominated region. The local constabulary and magistracy, as well as the provincial executive and legislative branches, had uniformly shown favour towards the Orangemen in this episode.

Moreover, Orangeism achieved ascendancy in Carleton County as a result of the riot. Only a handful of members staffed a single lodge in September 1846. A year later, thanks to a sympathetic population, more than 1,200 Orangemen belonged to a dozen lodges across the county. Orange processions and festivals became a familiar sight in Woodstock. The phenomenal success of Orangeism was perhaps best illustrated in October 1847. Approximately 500 county members attended the ceremonies to dedicate a cornerstone for a new lodge in Woodstock, the one mentioned in the introduction. The building would be constructed on a symbolic piece of ground — the site of the Orange “victory” over the Irish-Catholics in July.<sup>98</sup> The riot's most important contribution to Orangemen was the confirmation that confrontational tactics were effective in the suppression of the “brutal...and ignorant” Irish-Catholics.<sup>99</sup> To resident Protestants shocked by the riot and bloodshed, the Orange Order appeared the champion of law and order. Rather than acknowledging the Orangemen's violent contributions, the descendants of Loyalists and other Protestants looked to the fraternity to maintain peace in their hinterland society.<sup>100</sup> Carleton County would become one of the province's Orange bastions.<sup>101</sup>

95 Petition from Saint John Catholics, August 1848, Judicial Records, New Brunswick Executive Council, PANB; *Weekly Chronicle*, 18 August 1848; *Gleaner*, 29 August 1848.

96 For example, John Craven, who was arrested but not convicted, promptly lost his job as tidewaiter and special constable after the trial. See John Dibblee and others to Saunders, 12 August 1847, Riots and Disasters, New Brunswick Executive Council, PANB; *Loyalist*, 1 October 1847.

97 New Brunswick Supreme Court Records, 1848, PANB; Petitions, Riots and Disasters, New Brunswick Executive Council, PANB.

98 *Loyalist*, 1, 15 October 1847.

99 *Carleton Sentinel*, 2, 10 July 1850, 15 July 1854; *Loyalist*, 15 October 1847.

100 John Dibblee and Lt. Col. Shore, 19 July 1847, Riots and Disasters, New Brunswick Executive Council, PANB.

101 For evidence of this commitment to Orangeism, see the petitions from Carleton County in

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Finally, the riot and its aftermath offer an opportunity to assess the value of the sources that historians utilize when they study explosive events such as riots and elusive episodes of social violence. Documents generated by magistrates, law enforcers, military leaders and provincial officials clearly displayed a pro-Orange interpretive bias of the events. Given such a propitious birth, the myth of Irish-Catholic insurrection grew and flourished. However, a close analysis of the riot itself calls into question the contemporary notion that an innocent group of Orangemen routed a superior Irish-Catholic force.

An assessment of trial transcripts and census documents raises similar questions as to the stereotypical image of a despondent immigrant rabble. The Irish-Catholics who gathered on that sultry day almost a century and a half ago were an eclectic group; they ranged widely in their ages and lengths of residency in New Brunswick, less so for their occupations. Those who absconded or were never recorded in the judicial rolls were no doubt transients or Americans; nonetheless a significant number had already established roots in Carleton County. These were people with a stake in their community: they toiled on farms, crafted shoes and kept inns. Unless a cache of correspondence is uncovered, the historian will be forever denied the stories of those individuals who "lost" the skirmish of 1847. A much sharper image of the agendas of Orangemen and their sympathizers shines through to the present, precisely because they were the ones who generated the correspondence, newspaper accounts or official documents on which historians have relied.

While the picture of the Woodstock Riot of 1847 remains frustratingly incomplete, the riot and its aftermath provide a challenging opportunity to probe an historical episode and to ponder the meaning of the sources. We can only surmise the forces that brought the likes of 42-year-old Daniel Gillan, a farmer who had lived in New Brunswick since 1827, to stand alongside a 36-year-old artisan named John Mahan and James Mulherrin, a 17-year-old shoemaker's apprentice. Perhaps they were spoiling for a brawl with their Orange rivals; it is at least equally plausible that they left their farms and jobs to defend their established place in Carleton County against what they saw as the menacing growth of Orangeism.