

## **Appendix G: The World of James Stapleton I (Addendum of 8 March 2013 to “Stapletons and Posts,” by Michael L. Stapleton)**

Literally out of the blue, I was contacted last month by a distant relative of ours who had come across the family history that I circulated last Thanksgiving. She is a fourth cousin to my generation. Her grandfather, Joseph A. Callahan (1892-1968), was second cousin to my grandfather, Leo J. Stapleton Sr. (1900-68); her great-grandmother, Mary Frances Stapleton Callahan (1861-1926), was a first cousin to Leo Sr.'s father, William P. (1862/4-1936); and her great-great-grandfather Joseph Stapleton (1820-1913) was the younger brother of William P.'s father, Michael (1816/18-1895).

Our cousin's name is Martha Carrigan Paine, of Wellesley, MA. Over the years, she and her sisters have engaged in genealogical research about our mutual ancestor, James Stapleton II. He is our great-great-grandfather. As you may remember, he was James I's son, the father of Michael and Joseph. He was the sea captain who seems to have perished in a shipwreck off the coast of Labrador sometime in 1822, according to family tradition. We are lucky to have heard from Martha, and I feel exceedingly fortunate that she was willing to pass along some of her family's research.

In 1926, when Martha's grandfather Joseph Callahan was only 34, something, perhaps his mother's death in that year, prompted him to write down the following information:

**46 East Side Parkway  
Newton, Mass  
Apr. 19. 1926.**

- 1. My Great Grandfather on my mother's side was Captain James Stapleton of the schooner Hibernia who lost his life along with thirty nine others when his schooner went down upon a return journey from Labrador.**
- 2. My Great Grand mother on my mother's side was a Ann Murphy born in Ireland.**

**3. My Grand-father on my mother's side was Mr. Joseph Stapleton born in Riverhead, Harbour Grace, Newfoundland. Died in his ninety-third year.**

**4. My Grand mother on my mother's side was Miss Maria Mc Carthy born in Carbonear, Newfoundland.**

This is terrific information. It helps confirm some facts we already know, and either corrects or provides an alternate explanation for other things we thought we knew. James and Joseph are old Stapleton family names. Harbour Grace is our ancestral village in what was at the time the English province of Newfoundland, and Riverhead is our district of origin within it, generally populated by Catholics then, mostly from Ireland. The neighboring town of Carbonear is the birthplace of our great-grandmother Mary Ellen Kennedy Stapleton (1870-1950). We have long known that Ann Murphy was the wife of James Stapleton II and the mother of our ancestor, Michael, and that Maria McCarthy married Michael's son Joseph (b. 1862), who emigrated to the U.S. with our great-grandfather William P. and lived in the North End on Sheafe St. What we are now able to confirm, thanks to Martha, is that Joseph (b. 1820) was Michael's brother rather than his cousin.

The will of James Stapleton I from 1831-32 (Appendix A) lists two widowed daughters-in-law and six grandchildren: Ann Murphy Stapleton, the wife of his late son James II and the mother of their two children (Michael and one unnamed); Elizabeth McCarthy Stapleton, the wife of his other late son Bartholomew and the mother of their four children (Margaret and three unnamed). Though I had previously understood James II and Ann to have had three children baptized ([Mary, Michael, and Joseph in this link](#)), my records listed a death date for Mary in 1902, and James I's will was adamant that Michael, our ancestor, only had one sibling. Therefore, I thought that the unnamed sister or brother in the will was Mary, and that Joseph was Bartholomew's son rather than James's. I didn't have Joseph's dates (1820-1913) at the time, either. So: if Joseph was alive in 1831, if he was the son of James II and Ann and therefore was Michael's brother, then he has to have been the other unnamed sibling in the will. It is

possible that Mary had died by 1831, and quite likely that the death date I had for her was a mistake. If she had married by that time, which seems unlikely since it was unusual for Newfoundlanders to wed before the age of 25, she still would have been mentioned in the bequest.

We now also know one point of origin for the sad story of our ancestor. Mr. Callahan's phrase sounds authentic, almost like a newspaper account: "Captain James Stapleton of the schooner *Hibernia* who lost his life along with thirty nine others when his schooner went down upon a return journey from Labrador." I'm confident it's probably true. Phrases and information are often passed down through generations as part of oral tradition. That's exactly how Alex Haley found his ancestor, Kunta Kinte, as he explained in *Roots*. And each part of our family has its own stories, as we all know, and I'd guess most of these are true, as well.

I've been hunting through various records for years to confirm this tale of James's disaster. I've never had any real luck, since the nineteenth-century records of Canadian and British shipwrecks do not mention any such occurrence, and many, many vessels at the time were named *Hibernia*. Fortunately, since James Stapleton I was a substantial person in his time, a real entrepreneur, his activities that involved court proceedings were all dutifully recorded, and still exist in the Maritime History Archive of the Memorial University of Newfoundland. The *Hibernia* was only one of several vessels that James owned or operated as a fishing craft, which seems to have been captained by his sons during the years 1820-21. The records say that in 1822 it was "thought lost." This is probably the shipwreck that Mr. Callahan alluded to in which James's son perished, and if so, this may explain what happened to Bartholomew, also. It may also account for the lack of information about the sons's deaths in the father's will, though there may be a record of the disaster elsewhere that may turn up.

As I said, James I was a substantial person, and thanks to the information in the archives from Memorial University, we can trace his

movements from 1812-1831, and those of his descendants up to the year 1847. James's will lists him as a "planter." The word is first recorded in English in the thirteenth century and means something like "farmer," which makes sense. But by the late seventeenth century, this term had a meaning that the *Oxford English Dictionary* records as specific to our ancestral homeland (planter *n.I.5.Newfoundland*): "An established fisherman who owns fishing premises, vessels, or equipment, and so usually engages a crew to work for him on a share basis." According to Gordon Handcock of Memorial University, someone like James "maintained (employed, housed, and victualled) 25 servants or more. Most planters raised some garden produce and kept livestock, especially hogs, which together with fish, seabirds, seals, wild fruit and game helped to supplement imported food." At the time our forefather was active in the early nineteenth century, his profession seems to have entailed even more than this. A planter might buy, trade, or lease vessels to others or rent them himself; actually own and run a farm; rent out his own property such as housing or land for cultivation. Planters also dealt in commodities such as molasses for the making of rum, definitely the spirit of choice in North America in the nineteenth century and a major source of income and profit for those who traded in its key ingredient. This probably explains why James is careful in his own will to designate that his heirs are entitled to his molasses stores. It was literally money in the bank.

A planter such as James fished for cod in the summer and hunted seals on the ice in the winter, the first commodity as a food source, the second as clothing as well as food, since the pelts (and other parts) of seals were highly prized. Either activity involved hard, brutal, dangerous work: shipwrecks, black water and drowning currents, sudden fissures in ice that could swallow you up while you were clubbing seals to death, cold and frostbite, salt spray, sudden waves, fishhooks and harpoons, predatory sea creatures, seal tusks. Ice could be cruel to the wooden hulls of ships. There was no waterproofing, no Gore-Tex, no synthetic nets, motors, tugboats, helicopters, emergency rooms. Everything was

handmade, and had to be repaired. Frequently. I, for one, cannot imagine untangling those nets.

The [schooner](#) that Newfoundland planters used was a wind-powered ship with at least two masts, usually all of the same size, with sails that were gaff-rigged (four-cornered, rigged fore and aft, as in the



illustration). It became the most popular American vessel in the eighteenth century for several purposes, legal and otherwise (e.g., smuggling, blockade-running, piracy). As it happens, the *Hibernia* was only one of several watercraft that James and his family operated, captained, rented, or owned. The Memorial

University archives provide a [list of other vessels](#): the *Creole*, the *Mary*, the *Orion*, the *Shannon*, the *Terra Nova*, the *True Blue*, the *Four Brothers*, and even the *Argo*. How James and his sons got their start in their life's work is unknown, but it was obviously quite an enterprise. Those very archives reveal that over the period 1812-47, James and his heirs dealt in sizeable quantities of money.

There are literally dozens of items concerning James in the record books that document his legal issues in the Superior Court of the District of Harbour Grace. Thanks to the key to abbreviations that the Memorial University archivists provide, most any entry is relatively easy to interpret. For example, this one:

#### STAPLETON

1813 11 oct hg surr ct jas of HG charged with harbouring wm callahan a deserter fm the royal nova scotia regt at st jns fm 1 sep—9 oct. says he did not know he was a dester. fined £100

This means: “On 11 October 1813, in Harbour Grace Surrogate Court, James Stapleton of Harbour Grace was charged with harboring a deserter from the Royal Nova Scotia Regiment at St. John's, William Callahan, from 1 September to 9 October. Though James claimed that

he did not know that Callahan was a deserter, the court fined him £100.” It is unusual that James extended himself in this way at all. Callahan may have been a relative, or perhaps there was some other connection. What truly gives pause is the amount of the fine, the substantial sum of £100. Since £1 British sterling at the time was equivalent to approximately \$131.75 in today’s American dollars, £100 in 1813 would equal about \$13,750 in 2013. That, folks, is a lot of money. There is no record of James paying the fine. If he did, it must have infuriated him. He was not a man to trifle with. The archives list several legal actions involving lawsuits, moneys, and the like, most of which he initiated. He is the winner in virtually every legal contest, even after death. He included a provision for the settling of a debt he was owed by a merchant named Hugh William Danson, of Bristol, the resort town in the south of England. Danson’s bankruptcy, [announced in this newspaper link](#), was no reason for his debt not to be settled as far as James was concerned. His heirs should profit.

Lawsuits in surrogate courts in British colonial provinces were heard and settled by magistrates of various sorts, but it was also possible for a subject of the crown to serve as arbitrator. James was such a person. In June of 1816, he helped settled a dispute between a Mr. Handrahan and a Mr. McFarlane concerning freight charges, the cost of transporting commerce. The next year, our ancestor served the same function, helping settle the suit of Carew v. Kelly. In 1827, he was customs officer for Harbour Grace, helping to inspect any incoming items, and doubtless pocketing a fee of some kind.

James occasionally found himself the subject of a lawsuit. In 1812, a Matthew Kearney sued him for £32.10s.1d (the old system of pounds, shillings, pence), a sum of over \$4000 in current funds. The two men were sworn enemies, it seems. At the end of 1817, Kearney sued James’s son and namesake, the sea captain who certainly was involved in the family business, for the whopping sum of £61.12s.3d., over \$8000. The records report the result: “loss by default minus value of 1000’ board.” It does not specify who the loser was, but whoever “lost

by default” was also penalized for the cost of one thousand feet of boards. (Perhaps James Jr. was trying to build something, welshed on his debt to Mr. Kearney, and was tagged for the cost of materials lent to him as well.) Two years earlier, in 1815, the estate of a Garrett Walsh (his heirs, presumably) tried to collect approximately the same amount of coin in surrogate court from James Sr. The records do not say why the Kearneys and the Walshes went after the Stapletonian paterfamilias, or whether he coughed up the amounts demanded. However, from this time on, James was generally the complainant in lawsuits rather than the target of them.

James was also tenacious. In early 1815, he sued John Gosse of Carbonear, a merchant who owed him money for undisclosed reasons, £31.13s (i.e., about \$4k). Apparently, not getting the traction he had sought in the writ he had arranged to be served to recover this considerable sum, James sought arbitration later in that month to help settle the matter. This tenacity applied to the recovery of less money, also. In the next year, James sued William Mullooney of Harbour Grace for £8.2s.6d. (i.e., over \$1k) for freight charges incurred by shipping commerce from St. John’s to their city. Unsatisfied, it seems, with the progress of this legal matter, James also sued Mullooney’s agent, Michael O’Brien, for the same amount in March of 1816. On 29 November of that same year, James sued Robert Lee in order to recover a whipsaw lent to him the previous season (i.e., a tool used to saw logs in a pit for the purpose of planking in home construction and shipbuilding), an item worth £3.3s. (\$400). James made it known that he would be content to recover the item or to receive the sum of 45s., or £2.2s., as compensation, approximately \$260.

Others discovered that it was unwise to owe money to James the Planter, at least if one were not planning to pay it back. In June 1822, a Charles Murphy was sued for back rent of £3.3s., perhaps as a tenant farmer leasing land. (One wonders if Charles was somehow related to James’s daughter-in-law, Ann.) Six months later, in January 1823, the amount was £8.9s.9d. Two months later, the sum was £4.8s. It is difficult to say

whether this was revolving debt or separate charges incurred for different time periods of the lease. In April, James sued Murphy again for twenty-three days of cheap rent for a house on the beach and won the sum of approximately 2s. (i.e., \$22). It seems that no matter what, he collected the moneys owed to him, as little as \$400 or as much as \$1000. He was also known to retaliate if he felt injured or annoyed. A Pete Piddle sued James for approximately £5 on April Fool's Day, 1824. Three weeks later, on what happened to be Shakespeare's birthday (23 April), James turned it around on Mr. Piddle and sued *him* for £5. The equivalent of \$658.75 was worth going after. Such pursuit was characteristic of him throughout his life. In 1830, which may have been James's last twelvemonth of good health, he sued five people for 20 shillings, including a poor widow, for what he claimed was the unauthorized harvesting of seaweed from his beach. Sixty-five years later, this was considered such an egregious example of pettiness and greed that it was used as an argument for social welfare in a [newspaper](#): "Here is a Crown Colony, in 1830, prosecuting a poor widow who goes to her waister in water to procure a little sea-weed for her garden, to help feed her children."

The archives contain another interesting entry, one involving [Father Thomas Anthony Ewer](#) (or Yore, 1750-1833), a missionary priest from Dublin who was instrumental in establishing Catholicism in Harbour Grace, where it had been stoutly resisted. On Ewer's behalf in 1827, James served as a witness against his own nemesis Charles Murphy for his failure to pay the rental for a pew in one of the ersatz chapels that served as places of worship. If James so aided the priest, it is possible that he, also, was Roman Catholic. (His son and daughter-in-law were married in a Roman Catholic ceremony in St. John's in 1816.) This religious profession would have been a fairly brave stance, even in the early nineteenth century. Catholicism was forbidden in Newfoundland from the dawn of the Reformation in England (1533) into the late eighteenth century, and masses had to be celebrated in secret, in private homes. It is reported that in 1755, when the colonial governor, Richard Dorrill, discovered that this sacrament had been observed in a Harbour



Grace residence, he ordered the offending house to be burned by the town constable. Once Catholicism was allowed a real foothold on the island, the chapels in which the Murphys of the world could rent pews were erected as places of worship. The first **true cathedral** was not consecrated until 1868, a structure that the Protestants burned to the ground in 1889. Roman Catholics generally do not like to hear the Pope described as Antichrist or to be told that they are bowing to a Roman dictator, part and parcel of anti-Catholic propaganda since the time of Martin Luther. The true-blue Protestants of Harbour Grace may not have been shy about expressing such views to their neighbors, and may have resented a rich Catholic planter such as James. In return, he may have felt persecuted and discriminated against and become litigious.

The *Hibernia* was first associated with the Stapletons in 1818. It was a 101-ton vessel originally owned by a James Stewart (or Stuart) and a Mr. Rennie of St. John's, and may have still belonged to them when our ancestors sailed it. Our cousin Martha found an advertisement from the *Newfoundland Mercantile Journal* 24 January 1817):

**For Sale, The Schooner HIBERNIA, Burthen about 94 tons; Built of American oak, about 4 years old; carries about 1,200 qtls. fish; is well found in sails and rigging, and well calculated for coasting or the Labrador fishery. Vessel and materials may be seen by applying to STUARTS & RENNIE.**

Because our vessel had the same name, was about the same size, was intended for Newfoundland fishing, and was associated with Stewart and Rennie, this is probably the same ship. Two years later, a James Stapleton (presumably Jr.) captained a *Hibernia* with the same tonnage, aided by a crew of four for the purpose of fishing on the Newfoundland coast. This same record lists the ship registered as a "PRIZE," which was "the common name applied to an enemy vessel captured at sea by a ship of war or a privateer." So it could have originally been an American vessel commandeered during the War of 1812, and the description of its wooden hull as made of "American oak" suggests its possible origin as a spoil of that conflict. 100-ton two-masted schooners were common and could hold the thirty-nine people that Mr. Callahan reports as the

number of those who perished on the *Hibernia*. Ships of this sort used in war carried crews of seventy-five men and could have accommodated eight cannon and four or five swivel guns. In 1821, a *Hibernia* owned by Messrs. Stewart and Rennie was still associated with the Stapletons, and again, in 1822, it was “thought lost,” which squares with Mr. Callahan’s account from 1926.

There are no further details in the archives about James Jr. or the *Hibernia*, but it does not seem to have been the first vessel that had been wrecked when he sailed it. He was captain of the *Four Brothers*, a 71-ton fishing vessel, that the British publication *Lloyd’s List* (still in operation) reported as wrecked in Newfoundland in April 1820 while sealing. Since April was the month that the *Titanic* hit its fatal iceberg, and that event occurred considerably south of where our ancestors operated their business, one can only imagine the danger of hunting seals on fickle ice floes during the equinoctial season.

One further entry in the archives deserves some scrutiny:

**STAPLETON**

**1821 27 apr st jns surr ct JAS SUED JAS SR to recover £150 blce of money lent note had been signed at HG 25 apr 1821. LOST**

In other words, “on 27 April 1821, in St. John’s Surrogate Court, James Stapleton Jr. sued his father, James Sr., to recover a balance of £150 (i.e., \$19, 672) that he had lent him, the note or lien having been signed two days before in Harbour Grace, on 25 April. One of them, (presumably Junior), lost the suit.” This seems to have been only a year or so before the younger man perished at sea with his crew, and perhaps with his brother Bartholomew, wrecking the schooner *Hibernia* that they were renting or leasing from Mr. Stewart, or perhaps running for him. This raises a number of questions. Why would a son, who seems to have been in business with his father, sue him? Why would the father, by all accounts a rich and powerful man, borrow money from a son who seems to have worked for him? Why would this legal action occur only two

days after arranging the loan, and why would the matter be adjudicated in the provincial capital? On modern roads in an automobile, this is a trip of approximately 66 miles, a little over an hour. But in the early nineteenth century, such a voyage with wind-powered ships would have taken somewhat longer, since sailing from Harbour Grace to St. John's would have entailed sailing out of Conception Bay and then doubling back to the capital on the other side of the eastern Avalon Peninsula, a motion clockwise from approximately 9 on the dial to 4.

What were these personal relationships like? How could a father and son recover from something as traumatic as suing each other? And there does not seem to have been much familial separation, with each branch of the clan able to retreat to its separate quarters or corners. James I's will strongly suggests that Ann, Elizabeth, and the six grandchildren lived on the same property with him a decade after his two sons had disappeared. The nature of the inherited items bequeathed to Michael and Margaret, the watch, the fowling piece, and the household stuff, implies some affection on both sides, as well as the provision for allowing them and their siblings to continue working at the agricultural part of the family business. Perhaps it was understood by one and all that James Jr. was not the world's greatest sailor or fisherman, since he had a history of wrecking ships, and the messy lawsuit involving Mr. Kearney in 1817 involving lots of money and planking wood may have caused his father great consternation. Perhaps the son was in the habit of bringing unwise legal actions against various men, even his father, who himself was, as we saw, not afraid to mix it up when he felt threatened. The Kearney imbroglio, if it was unfavorable to the Stapletons, may have necessitated the father's purchase of the *Hibernia* in the same or the following year to recoup losses, or to give the son a living. And the ship, along with the sons, just seems to have disappeared.

Ultimately, however, none of these bothersome questions seemed to matter any more than they can be answered now. These sorts of [disasters](#) were not uncommon. James Sr. survived his son by at least a decade, and provided handsomely for his widowed daughters-in-law and his

grandchildren, most of whom stayed in the family business and remained associated with the sea even after their descendants had emigrated to Boston at the end of the nineteenth century. My great-great-grandfather Michael, James's grandson, also identified himself as a planter in the 1889 Harbour Grace census. In 1846-47, Stapletons owned, operated, or leased a 103-ton schooner, the *True Blue*, to the McCarthys, who used it for sealing, quite successfully. It is likely that this family was related to Bartholomew's widow, Elizabeth, whose maiden name was McCarthy.