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**TRANSACTIONS
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RESEARCH SOCIETY**



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The Canadian Numismatic Research Society
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IN MEMORIAM

Donald M. Stewart
Nov 10, 1919 – March 23, 2020



Donald McKenzie Stewart was born to Margaret, wife of Donald A. Stewart in Saskatoon, SK on November 10, 1919, their only child. When he was only a few months old the family moved to Toronto and spent a couple of years there, moving for the last time to Vancouver when Don was only three years of age. It was in Vancouver that he went to school, graduating from Magee High School in the Kerrisdale district. He was to outlive the school building that he studied in, which was replaced with a modern school in 2000. In school he had been a good athlete and was the champion in both tennis and table tennis. Don's first job was as a clerk for a bank, which he started just before World War II came on the scene. Don signed up with the Coast Garrison Artillery and was fairly quickly promoted to Battery Sergeant Major. He was then posted to Fort Rodd Hill, which is on the other side of Esquimalt Harbour from the naval base. There he was training officers and was offered the opportunity to train as an officer. After several moves his unit, which was an anti-aircraft artillery unit, was posted to Halifax. In Halifax Don got fed up with waiting to be shipped out and managed to convince the officer in charge to move him up the list to a higher priority. Don's oldest son, also called Don, believes that an amount of whiskey being transferred to the officer encouraged the change.

By the time Don arrived in England the Allies had obtained superiority in the air and so he was posted to Salisbury to an anti-tank unit, #2 Anti-tank RCA. The unit arrived in Normandy on D-Day plus one and fought its way into the Netherlands. Don always felt lucky as his original unit was sent to the Italian front where it was shot up quite badly. After the German surrender he served as an Occupation Officer on the island of Langeoog in the East Frisian Islands, which are tucked into the North Sea between the Netherlands and Denmark. There were some 10,000 German soldiers under their care, and every day there was a parade of German soldiers coming in to ask to sign up in the Canadian army as they believed that the Allies would be fighting the Russians soon.

Don was discharged to reserve and shipped back to Canada in January 1946. He married the love of his life, Joyce (Joy) Burbridge, on March 21, 1946. That year he was also offered a job by the Canadian Indemnity Co., a general insurance company. His father was the branch manager in Vancouver for the company. Don started with the company in Winnipeg, but after a couple of years he was transferred to Calgary where later he became the Calgary Manager, and Vice-President responsible for Alberta. Don enjoyed the work and only took early retirement when he was 60 because Joy told him that she was fed up with the winter weather and wanted to move back to the BC coast – she was born in Cumberland – and that he was welcome to come with her if he wanted to. He came with her to



Donald M. Stewart.
Circa 1943.

Victoria. Joy unfortunately developed Alzheimer's disease and struggled with it for about seven years, passing away on March 30, 2013. After she went into full-time care he went to feed her lunch every day until her passing. He moved back to Vancouver a few years ago to be closer to his family. He and Joy had three children, Don, Jamie and Leslie, four grand-children, and five great grand-children.

Don said that he got seriously interested in numismatics in 1957. He joined the Canadian Numismatic Association as #1848 in March 1958. He later was charter member #88 in the Canadian Paper Money Society, which was formed in 1963. That same year he was a founding Fellow in the Canadian Numismatic Research Society. He served as President of the CNRS from 1968 to 1970. When he passed away he was one of three surviving founding Fellows. The J. Douglas Ferguson Award, the highest Distinction in Canadian Numismatics, was established in 1969. By the direction of Mr. Ferguson the first two awards were presented to Fred Bowman (1969) and Sheldon S. Carroll (1970). Those two and Don Stewart were then appointed as the permanent members of the Board of Award. Don received the Award in 1977. He served on the Board of Award until 1987 when he withdrew and was replaced by Ronald A. Greene.

Contributed by
Ronald A. Greene

The Fred Bowman Literary Award

The idea of a CNRS literary award was first conceived in 1968. It had been decided that the award would be open to persons who were not Fellows of the Society. The award, in the form of a certificate, was to be for the best contribution to Canadian numismatic literature published during the previous year. The recipient was subject to the approval of the Canadian Numismatic Association Executive and the certificate would be presented at the C.N.A. convention. Some confusion later ensued as to exactly what published material would be considered for the award. In 1972 an effort was made to clarify the rules and allow the inclusion of published books as well as contributions to periodical literature. The name of the award was changed to The Numismatic Research Award. Following the death of Fred Bowman in 1978, the Society renamed the literary award in his honour. The award was to be known as The C.N.R.S. Fred Bowman Award for Literary Excellence. Today the award is simply referred to as the Fred Bowman Literary Award and may be presented to Fellows and non-Fellows alike.

The following is a list of recipients of the Fred Bowman Literary Award. It should be noted that changes to the award over the years have created some confusion in how the award was recorded. Initially, the award was presented the year after the work being recognized was published. About the time the award was renamed in Fred Bowman's honour, this changed. An award could now be presented for a work published two or three years previously. This list indicates the year the award was presented to the recipient. In 2013 a medal was presented instead of a certificate.

1969	James A. Haxby	1997	Christopher D. Ryan
1970	Norman W. Williams	1998	n/a
1971	William H. McDonald	1999	Mel Kyle
1972	Harry Eisenhauer	2000	Janesse Y. Leung
1973	Michael Curry	2001	Dominic Labbé
1974	Wilfred Harrison	2002	Ted Leitch
1975	Jack Roberts	2003	Walter Allan
1976	Norm Wells	2004	Philip L. Mossman
1977	Peter Moogk	2005	Robert Vlack
1978	Stephen Dushnik	2006	Scott E. Douglas
1979	Bob Graham	2007	Louis E. Jordan
1980	Jerry Remick	2008	Warren Baker
1981	n/a	2009	Scott E. Douglas & Chris Faulkner
1982	R.C. Bell	2010	Angus Sutherland
1983	Peter Russell	2011	Rob Turner
1984	n/a	2012	Paul Berry
1985	Warren Baker	2013	Chris Faulkner
1986	Douglas Baldwin	2014	n/a
1987	n/a	2015	Henry Nienhuis
1988	Ronald Rudin	2016	James Haxby
1989	n/a	2017	n/a
1990	George Sheppard	2018	Chris Faulkner
1991	George Brown	2019	Harvey Richer
1992	n/a	2020	n/a
1993	n/a	2021	Ron Cheek
1994	Jack Boddington, Richard Bird		
1995	John Kleeberg (ANS)		
1996	n/a		

**At the Sign of the Golden Fleece:
The Rutherford Family Tokens of Newfoundland
Breton 952, 953
by
Paul Berry, FCNRS**

Preface

R. & J.S. Rutherford and Rutherford Brothers were two well known general merchants and commission agents in mid-19th century Newfoundland. Based respectively in St. John's and Harbour Grace, they handled North American produce and British manufactured goods, selling their wares directly to clients for cash. Like many competitors, they had a reasonable degree of success, but eventually succumbed to the challenges of the period. Sectarian politics, fire, a depressed fishery, and hungry creditors all took their toll. What set these two firms apart from the competition and that for which we know them today was their circulation of well made, good weight halfpenny tokens on an island largely devoid of hard cash.

Before the adoption of the decimal system in 1865, and arguably for some years thereafter, most transactions in Newfoundland were conducted by barter. Advertisements to exchange goods for fish or oil were commonplace. Money, when available, was a mixture of British sterling, local notes, foreign coins and private, often lightweight, tokens from other areas of British North America. Through their two firms, the Rutherford family, five brothers from southern Scotland, introduced a small measure of consistency into this chaos. From the 1840s through the 1860s, their tokens, according to one 19th century numismatist, formed the principal copper circulation of the island. Their unusual and sophisticated design with its coat of arms and hanging fleece was not only head and shoulders above the copper flotsam and jetsam of the island, but unique in all of British North America.

The Early Years

The Rutherfords came from Roxboroughshire in southeastern Scotland on the border with England. Born between 1815 and 1824, the five brothers were baptized at Eckford.¹ Robert was the eldest and then in succession came James, Henry, George, and Andrew. Nothing is known of their early family life or education, but like many other Scots, they left the heather to build a new life in the British Colonies.² Heaven knows why they chose Newfoundland. Perhaps an ancestor had had some contact with the island. Or, more than likely, their family placed the brothers in an area under the tutelage of relatives in the hopes they would make good.

¹ Robert on May 18, 1815; James Scott on July 15, 1817; Henry on June 27, 1822; George Cairns on May 10, 1824; Andrew on May 10, 1824.

² See Baillie (2017) for an entertaining and informative review of the motivations and experiences of several generations of the Baillie family in India.

R. & J.S. Rutherford – The Business

Robert and perhaps James went to St. John's on what looks like a scouting expedition in 1837 followed by a more prolonged visit in 1840.³ It has been suggested that they learned their trade at Hunters & Co., an old Scottish commission merchant in St. John's. Robert soon became part of the local scene. For thirteen days in May and June 1840, he was engaged as a special constable during an election at St. John's.⁴

It appears that Robert and James opened their business in 1841 in rented premises on Water Street, St. John's' busy commercial district along the harbour where firms had direct access to wharves and ships' cargoes.⁵ For a mercantile business this was where they needed to be to succeed. Other well known firms such as Bowring and Baine, Johnson & Co. which survived fire and flood well into the 20th century were located nearby. Historically, the area near the water was reserved for parties engaged in the fishery. By the early 19th century this restriction had been relaxed so that firms supplying the fishery also were allowed immediate access to the harbour. Like many major firms doing business on Water Street, R. & J.S. Rutherford did not own the property they occupied. In 1843, the firm rented space for upwards of £60 per annum, as did such prominent merchants as Bowring Brothers, James Clift, and E. & N. Stabb among others.⁶

The firm's earliest newspaper ad dates to August 1841. It suggests that R. & J. Rutherford (as it was first styled) focused on an import / export trade, retailing products to the public, including "English" manufactured goods from Liverpool, Greenock, London, and Cork. (*Fig. 1a*)

Tea was a specialty, as was coffee after February 1843 when the two brothers began roasting and grinding beans on premises. They also imported products from areas of British North America such as lumber from PEI for the local construction industry, but this was not a staple of their business. Unlike many Newfoundland businesses, they did not supply the fishery other than to outfit participants by providing personal goods like coats, etc. Theirs was, as they advertised, a cash only business: one price – the lowest – and no accounts (i.e. credit), something that would facilitate the circulation of private tokens. (*Fig. 1b*)

In 1842, the brothers began to advertise using the imagery of a ram's fleece hanging in a sling. Newspaper ads often were signed with "Sign of the golden fleece." The use of specific images to advertise businesses in St. John's was not unusual.⁷

³ James' obituary in the *Presbyterian Record* says that he was born in 1814 and came to Newfoundland when about 18 years old. If true, this would mean he arrived in 1832. This is unlikely and contrary to his newspaper obituary and current geneological data.

⁴ *Journal of the House of Assembly of Newfoundland 1841* (6th session) (with Appendix): 130-131. Robert and others signed a petition (dated June 12, 1840) asking to be paid for services as special constables during the election of an assembly member for St. John's. He claimed service for 13 days at 7s/day totalling 4 pounds, 11 shillings.

⁵ The earliest ad found to date for this firm appeared on page 3 of the *Public Ledger* on August 6, 1841.

⁶ Taken from a table prepared by John Canning for J.V. Nugent, Chairman of the Legislative committee tasked with considering the effect of a property requirement on the numbers of prospective jurors in St. John's. See *Journal of the House of Assembly of Newfoundland 1843* (1st Session): 435-443.

⁷ Examples from *The Directory for the Towns of St. John's, Harbor Grace and Carbonear, Newfoundland for 1885-86* include Sign of the Lion, Sign of the Newfoundland Dog, Sign of the Cod Jigger, Sign of the Golden Cod Fish, Sign of the Big Boot, and Sign of the Bear.

**R. & J. S. Rutherford
newspaper advertisements**



**Fig. 1a - Early name of the firm
(Public Ledger, August 6, 1841).**



**Fig. 1b - Formalized advertising and
cash only sales (Patriot, July 13, 1842).**



**Fig. 1c - Hanging ram graphic
(Morning Courier, October 21,
1848: 1).**

The practice continued well past the demise of the Rutherford's business. The brothers also modified the name of their business, adding James' second initial to become R & J.S. Rutherford, the same title as appears on their tokens. (Fig. 1c) Having formalized the business name and imagery in 1842, the two brothers likely began issuing tokens that same year. In that case, the date 1841 on some tokens must refer to the firm's opening and not the token's year of issue.

One interesting episode in 1844 may indirectly say something of the "success" these tokens had among members of the local community. On March 12, Michael Scanlan and other unnamed merchants and shopkeepers in St. John's petitioned the Newfoundland assembly to prohibit the importation of what they called "spurious copper coinage now current here."⁹ The petition reads:

⁹ Michael Scanlan was a local businessman with a farm at Mount Prospect who often advertised pork, potatoes, and other root vegetables for sale. He was a longtime member of the Benevolent Irish Society. The petition was introduced into the assembly by Mr. John Kent, a member of the Legislative Council.

That the Copper Coinage at present in circulation is of a very base character; that private individuals have imported, and are importing, Copper Coins, for the purpose of circulation, from which traffic Petitioners believe such persons derive considerable profit; that the toleration of a traffic of this kind in any portion of the circulating medium of the Country, by leaving to the direction of irresponsible persons the fixing of a value on any coin not its intrinsic metallic worth, and by permitting such persons to circulate the same, may ultimately lead to great public loss and confusion; and praying the House to adopt such measures as will secure to the Country the circulation of a Copper Coinage under the superintendence of some department which will be responsible for the correct discharge of so important a duty to the Legislature of the Colony.

The spurious pieces are not identified, but one cannot ignore the possibility that the petition was framed with the Rutherford tokens in mind. By 1844, a sizable portion of tokens circulating locally were probably Rutherford “rams”. As the colony was without a coinage of its own, Newfoundlanders used whatever came to hand and periodically complained about the refuse being imported for their use. On this occasion however, the papers were strangely silent. There was no public outcry about the ill effects of recent imports. Newspapers did not publish notices of public meetings to decry the situation either immediately before or after the petition. In fact, even their coverage of the government motion, unlike others, was almost nonexistent. If no public outcry existed, then was the impetus for the petition and ultimately the act of 1844 a move to discredit a competitor fueled by sectarian politics? In view of later developments it is possible.

The Rutherford pieces must have lent some stability to the local monetary makeup as here was an issue from an identifiable and local, ostensibly solvent, merchant. At from 8 to 10 grams the tokens are approximately the same weight as regal British halfpennies and would have been heavier than many of the worn examples met in circulation. They do not bear any indication of value as noted in the petition, but one might expect that they circulated as halfpence. So why anyone would object to these pieces filling a need for small change is a mystery. From its wording, the petition seems the presumptuous whinings of a group less concerned for the public welfare than that someone other than themselves was making a profit.

After the requisite discussion and consideration by parliamentarians, on April 29 the legislative assembly passed an “Act to prevent the importation and circulation of spurious copper coin within this colony.” It also provided money to periodically obtain good pence and halfpence. The lieutenant governor, Sir John Harvey, gave his assent. Ultimately, the colonial office under Lord Stanley referred the act to the Lords Commissioners of the Treasury who chose not to recommend it to the Queen arguing that under its provisions British copper and silver coins would be excluded from circulation. In 1845 Stanley informed Harvey of the decision and no further action was taken.

On June 9, 1846, disaster struck. At 8:30 a.m. fire broke out in the shop of a cabinet maker on George St. and by the end of day most of St. John’s had been reduced to smouldering cinders. Newspapers reported that over 60 businesses and 2000 homes had been destroyed and thousands of families left homeless. Rutherford’s store on the south corner of Water Street and Beck’s Cove was one of the unfortunate casualties. It was destroyed in a convulsion of epic proportions. A correspondent for the *Morning Courier* (June 10, 1846: 3) described the scene:

“The whole block of substantial stores and dwellings [where Rutherfords was located]...was almost instantaneously converted into one mass of flame....” when the large oil vat at Bowring Brothers (located nearby) containing the fat of about 25,000 seals, ignited.¹⁰ One has to wonder what happened to Rutherford’s stock of tokens. Presumably, it was destroyed along with most of St. John’s, prompting a new order. (Fig. 2)

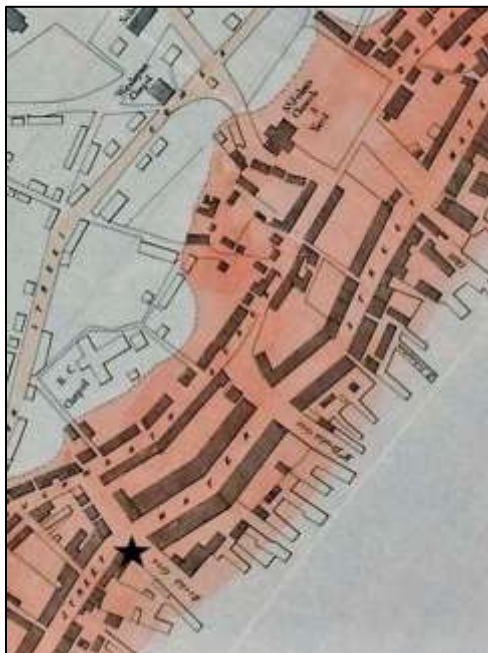


Fig. 2: Detail of a Map of St. John's, Nfld., showing extent of fire of 1846, Standage & Co., 1851. Star indicates location of R & J.S. Rutherford 1841-1846 (<http://collections.mun.ca/cdm/singleitem/collection/maps/id/144/rec/13>).

The disaster was of such magnitude that public and private groups organized relief efforts for those most affected by the calamity. R. & J.S. Rutherford did not draw upon this relief although entitled to do so. In fact, later, they cosigned a letter from the mercantile community of St. John’s to Sir John Gaspard le Marchant, Governor of Newfoundland, approving of how funds had been distributed to victims of the fire. In a letter to the Colonial office, Le Marchant said that the document included “the names of the chief wealth and respectability of the town, who, although the greatest sufferers by the fire have received no portion of the funds arising out of the Queen’s letter, the Imperial grant or private subscriptions” (*Newfoundland ... Colonial Office 1851: 108-9*). Some businesses found relief through their insurance policies. The agent for the city’s largest insurer, Phoenix Fire, arrived in St. John’s 11 days after the tragedy to begin settling claims and taking new policies (Fay 1956: 180-188).

1846 continued to be an unfortunate year for the inhabitants of St. John’s. On September 19 a hurricane blew in from the Atlantic, reducing more of the city to ruin. Despite this unfortunate event, substantial progress was being made toward reconstruction of the business district after the fire. Many of the new structures were rebuilt in brick or stone to reduce the destructiveness of future conflagrations (*Morning Courier*, October 10, 1846: 2). This process took some time, leaving merchants to operate out of temporary shelters, in some cases for more

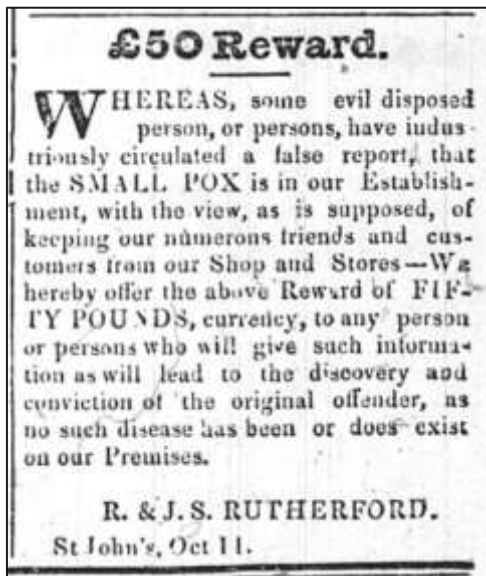
¹⁰ During the seal fishery in the spring, fat was gathered in addition to pelts. Seal oil was extracted from the fat and used as a fuel to light homes and businesses before the advent of gas.



than a year, until more permanent facilities were available. Rutherfords took possession of their new stone building on Tuesday, February 15, 1848 (*Weekly Herald*, February 23, 1848: 3). (Fig. 3)

Fig 3: Detail of 01.02.001: Water Street, St. John's. View looking east with the O'Dwyer block to the right pre-1899. Location of R. & J.S Rutherford from 1848 to 1849/50. Note the sign of the golden fleece hanging in front of W.D. Morison. Though not likely the original Rutherford sign, Kirikwood (1885) wrote that it was still on Water Street in the 1870s (http://collections.mun.ca/cdm/ref/collection/arch_geog/id/2695).

What fire and wind had failed to do, rumour finally accomplished. In October 1848, a rumour circulated that the Rutherford premises in St. John's was infected with smallpox. Even today, that would cause one to take pause, but in the mid-19th century infectious diseases were a real concern, especially after the disastrous typhus contagion in 1847 (*Newfoundlander*, November 2, 1848: 3). Ships filled with people fleeing the famine in Ireland brought the disease to British North America. Hundreds died in St. John's and thousands in Quebec City, Montreal, Kingston, and Toronto. Infectious diseases were top of the mind, especially for politicians. In



1849, the Newfoundland government discussed measures to prevent cholera that included establishing a cemetery outside of the city boundary. Newspapers in both St. John's and Harbour Grace posted notices from R. & J.S. Rutherford claiming that the assertion was false. The brothers even offered a reward of 50 pounds for information leading to the arrest of the person or persons who had started the rumour. The size of the reward underlines the seriousness of the assertion and the earnestness with which the Rutherford brothers sought to counter it. (Fig. 4)

Fig. 4: Notice of reward for conviction of person(s) responsible for smallpox rumour (*Weekly Herald*, October 25, 1848: 3).

A contemporary editorial of October 17, 1848, attributes Rutherford's misfortunes to another cause. The editor of the *Patriot*, a pro-Irish Catholic paper in St. John's, suggested that the smallpox rumour was a fabrication to hide the real cause of Rutherford's declining business. He claimed that the brothers had alienated Catholics by their support of an "Orange" paper, the *Courier*, after it had slandered married, labouring class Catholics. Perhaps innocently enough, the Rutherfords had become embroiled in a sectarian conflict between Catholics and Protestants. Rutherford's focus upon a retail trade could have put them at risk if popular sentiment turned against them. In 1844, Catholics outnumbered Protestants in the city by as much as 3 to 1.¹¹ The *Patriot's* assertion may have been so much bluster. It regularly castigated parties for actions that

¹¹ *Newfoundlander*, April 18, 1844: 1; information drawn from table showing population of revised electoral districts of the province.

in the editor's mind were contrary to the Catholic Irish interest of Newfoundland. Bowrings also fell afoul of this paper (Keir 1952: 71).

Whatever the cause, the business was wound up sometime in late 1849 or early 1850. Newspaper ads ceased and by December 1849 Rutherfords was offering to sell property and the remaining term on its Water St. premises (*Morning Courier*, December 15 1849: 3). Finally, in May 1850, Philip Hutchins, a merchant of English manufactured goods, took over Rutherford's store (*Morning Courier* May 18, 1850: 3).

Robert and James's career did not end here, although the two brothers' interests separated for a time. By October 1851, Robert again was retailing British manufactured goods, tea, coffee, and dry goods in St. John's at the sign of the golden fleece in new premises at the foot of Cathedral Hill.¹² (Fig.5)



James gave notice in February 1852 that he was operating as a grocer out of the premises of Mr. James Bruce (*Morning Courier*, February 18, 1852: 2). Neither business lasted long. Robert was declared insolvent in 1853 and the following year James lost the business to his creditors. Thanks to the unique legal nature of these two events, the brothers' misfortunes are detailed in the records of the Newfoundland Supreme Court.

In March 1853, James H. Cozens, a St. John's dry goods merchant and one of Robert's suppliers, sued Robert while he was in England.¹³

Fig.5: Detail of a Chart of the harbour and narrows, and plan of the town of St. John's, 1856.

Stars indicate locations of R & J.S. Rutherford 1848-1849 and R. Rutherford 1851-1853

(<http://collections.mun.ca/cdm/singleitem/collection/maps/id/291/rec/129>).

On April 19, the court in Manchester declared Rutherford insolvent as he owed £4588 1s 4d, against assets of £2421 14s 9d. The court attached all his assets, including those in Newfoundland, and appointed an official to act as trustee. Later, on May 19, at the behest of Robert, the Newfoundland court declared him insolvent and also appointed a trustee. Then, creditors in Newfoundland petitioned the court to overturn the English attachment arguing that English bankruptcy law had no authority in Newfoundland. (Morris 1900: 21-24). The court did not agree (see Morris 1900: 384) and held that the English attachment of Rutherford's Newfoundland assets was valid as Robert had first been declared insolvent in England. In a related case a suit was brought by the English assignee to recover money paid by Rutherford's agent in Newfoundland for goods received after the declaration of bankruptcy in England.

James S. Rutherford had assigned his store's stock on February 5, 1854, to Mr. James Bruce of New York, from whom he had taken over the shop, and Hunter & Co. (Patrick Tasker et al) in St. John's as collateral for goods purchased to be paid for in installments. On examining

¹² *Morning Courier*, October 25, 1851: 3; also, *Weekly Herald and Conception Bay Advertiser*, November 5, 1851: 2.

¹³ In this period, the *Public Ledger* from St. John's carried many ads contributed by Cozens. He regularly imported a variety of goods from Nova Scotia, including coal, butter, and lumber.

Rutherford's books, Bruce closed Rutherford's shop and sold the property to recover costs. It seems that Rutherford had a cash flow problem because when the conveyance was initiated, according to the lawyer for Rutherford's creditors, James avoided bankruptcy since he fully met his debts and "was able to pay all his creditors twenty shillings in the pound" (Morris 1900: 197-200).

Perhaps the two brothers should have adopted the phoenix as their commercial symbol instead of the ram, as the Rutherford name again rose from the ashes of financial misfortune in St. John's. Rutherford Brothers, the firm operated by Robert and James' siblings at Harbour Grace, opened a branch in St. John's in 1854 (*Royal Gazette*, September 19, 1854: 3). The timing leads one to think that Henry, George, and Andrew came to the aid of their ailing brothers. Although unnamed in the advertising, it appears from later ads offering to let the establishment that James managed that branch. Robert's connection is uncertain.

Life after Newfoundland

McLachlan noted that the Rutherfords moved to Western Ontario (1886: 109). During the 1860s, a wave of Newfoundlanders emigrated to the United States and Canada to escape unsettled conditions at home (*Newfoundland Royal Commission*. 1933: 13). Robert and James were in the vanguard of that movement. Two business failures with the last ending in utter insolvency ruined Robert's dreams of a business empire on the island but not necessarily elsewhere. He appears to have left Newfoundland about 1855 and moved to Guelph, Canada West, where he opened a store handling dry goods and groceries. The ledgers of R. G. Dun & Company provide a brief overview of this period in his life.¹⁴ Described in the ledger as a "bustling Scotchman," Robert continued to experience adversity. Although solvent and apparently making enough money to reduce his debts, he again ran afoul of his creditors. In 1860, a major supplier, Ross Mitchell & Co. of Toronto, began litigation to take charge of his business. Robert eventually lost his business, but it appears that with the aid of William Lowrie, one of his clerks to whom he had assigned part of his affairs, he was able to start anew (Canada, Vol. 24, pp. 200 and 228, R.G. Dun & Co. Credit Report Volumes, Baker Library, Harvard Business School.). By 1871, he had moved to Stayner, Ontario, and was working as a commission merchant under the name of Rutherford & Co. The 1871 census notes that he was a widower living with Lowrie and his family. No further mention of Robert has been found in the historical record.

In 1861, James also ended his lengthy association with St. John's and the province. James's motivation is not a matter of record. Perhaps the depressed fisheries in this period brought reduced profits at the store. Certainly, the tense political situation of that year which saw ruinous riots, arson, and murder envelop the community would have been unsettling. Newfoundland elections were boisterous affairs and the election of 1861 was especially notorious. The authors of the 1933 report of the *Newfoundland Royal Commission* described the period thus:

Previous general elections had invariably been conducted in an atmosphere of sectarian jealousy and partisanship deliberately engendered by the contending parties. Candidates rivaled each other in the exploitation or denunciation of religious beliefs; the closer the contest, the more unscrupulous the appeal to denominational

¹⁴ This appears to be the same Robert Rutherford who worked in St. John's. When James later moved to Canada, he first moved to Guelph, probably to be near his brother. The Dun ledgers identify a further connection with Newfoundland in that he employed a former grocer from St. John's.

passions. This practice not only led to scenes of rioting and violence during the elections, but gave rise in time to a bitterness of feeling which threatened to destroy the decencies of public life and poison the new growth of political consciousness. The general election of 1861 brought matters to a climax. When the new Assembly was opened, an attempt to break through the doors of the Colonial Building was followed by serious riots in St. John's, so serious indeed that the military were compelled to open fire on the crowd, three persons being killed and twenty wounded. These humiliating scenes brought the island an unwelcome notoriety, but had the happy result of awakening in the political leaders a sense of their responsibility (14).

In August 1861, James began to liquidate assets, including his home, property, furniture, and the business that was the Rutherford Brothers branch. On November 9, James, a lady, and Robert Rutherford (probably James' son) boarded the *Merlin* bound for Halifax. Thanks to James' religious devotion we know something about his subsequent movements. According to the *Presbyterian Record for the Dominion of Canada* (April 1878: 93), he moved to Guelph, Canada West, sometime before 1867, but after a few months relocated to Stratford. He worked as a produce and commission merchant out of a store on Shakespere St. He also was an elder in St. Andrew's Presbyterian Church. At the time of the 1871 census, he was widowed and living with son Robert, a grain merchant. He died December 16, 1877.¹⁵

R. & J.S. Rutherford – The People

Little is known about Robert and James' personal lives. They travelled regularly to Ireland, Scotland, England, PEI, and Halifax on business and like other prominent businessmen in St. John's donated to worthy causes.¹⁶ Both brothers were married. On August 21, 1844, James S. married Miss Jane Deans of Silverbuthall, Roxboroughshire, Scotland (*The Patriot and Terra Nova Herald*, August 28, 1844: 3). It appears that she remained in Scotland until their son Robert was born and then joined James in St. John's. In June 1852, Robert married Aemelia, the widow of local businessman John M. Rendell.¹⁷

James appears to have been more civic-minded than his elder brother, whose name is not recorded in connection with any religious or fraternal associations. James became an elder of St. Andrew's church in St. John's in 1853. In 1856, James and others from St. John's petitioned the government for the construction of a road from the Circular to the Military Road passing the old military hospital. James was a committee member on the Presbyterian (St Andrew's) School, St. John's (*Newfoundland Almanack*, 1860, 1859: 32), as well as on two religious organizations, the St. John's and Auxilary Bible Society and the Religious Tract and Book Society (*Newfoundland Almanack*, 1861, 1860: 43). He was a member of the St. John's Masonic Lodge No. 579 where he was credited with the creation of a fund in 1861 (called the Tasker Educational Fund after

¹⁵ According to the *Gazetteer and Directory for the County of Perth, 1867*, James had a store on Shakespeare St. The 1871 Canada census records a Robert Rutherford, age 26, living with James and a servant. Robert is too young to be James's brother, but he is the correct age to be his son. James was married in 1845 and this Robert was born in 1846.

¹⁶ In April 1847 they subscribed money for the relief of the destitute in Ireland (*Morning Courier*, April 7, 1847).

¹⁷ *Morning Courier*, June 26, 1852: 2. John Mortimer Rendell was a member of Rendell & Co., fish merchants. According to entries in the Keith Mathews file at Memorial University, St. John's, he married Aemelia Gregory of St. John's in 1840 and died at the age of 53 in 1844.

Patrick Tasker, manager of Hunter & Co., the firm that first employed Robert and James) for the education of the children of deceased lodge members. He was also a member of the first committee appointed September 6 to manage the fund (Edgar 1909: 12).

Rutherford Brothers – The Business

The Standard and Conception Bay Advertiser is the principal source for information about the Rutherfords' early years in Harbour Grace. In 1842, George, Henry, and perhaps Andrew emigrated from Scotland and joined their brothers in St. John's. According to George, he and his brothers worked as clerks on the premises. Henry moved to Harbour Grace sometime before the great fire of 1846 and opened the business on June 1 of that year. His two younger brothers, George and Andrew, joined him shortly thereafter. The first ads for "Rutherford Brothers" appeared in Harbour Grace papers in the fall of 1846 alongside ads for R. & J.S. Rutherford.

Newspaper passenger lists suggest that one or more of the Rutherford brothers had scouted out the feasibility of a business in Harbour Grace during 1845. Harbour Grace, in Conception Bay on the north shore of the island, offered the potential for success. It was one of the largest towns on the island after St. John's. In 1844, it had a population of 5,665. Approximately two thirds of the inhabitants were Protestant and the balance Catholic. It also was home to a large fishing fleet. Its status as a free port granted in 1836 gave the town a leg up on competing municipalities in Conception Bay.¹⁸ This designation allowed the town to receive, store, and ship non-British goods in non-British vessels to and from places other than the United Kingdom and its dependencies. American vessels for instance could put into the port, load and unload cargo without fear of having the goods seized.

Under the accurate and descriptive moniker "Rutherford Brothers" Henry, George, and Andrew operated a largely cash only business, retailing groceries, dry goods, beverages and other manufactured goods. They sourced many manufactured items in Greenock and Liverpool, but looked to British North America, the United States, and the Caribbean for food and other products. Potatoes and pork came from PEI, lumber and pine boards from Nova Scotia, butter from Cape Breton, peas and oatmeal from Montreal, tobacco and leather from Boston, and molassas and sugar from Barbados. (Fig. 6a-f) They also apparently sourced help from abroad. They are credited with annually introducing a small number of Scots to work in Newfoundland as clerks (Munn 1937: 21). Some eventually became their competitors.¹⁹ Like their older brothers in St. John's, they often tailored their ads to appeal to specific groups at different times of the year. For example in May 1848, they advertised a large variety of clothing, food, and other goods of interest to "the great number of people about to proceed to the Labrador" for the annual seal hunt (*The Weekly Herald and Conception Bay General Advertiser*, May 24, 1848: 3). After their first year in business, the brothers placed a laudatory ad in the newspaper thanking the public for their support.

¹⁸ Hertslet 1840: 167. The order in council was made May 18, 1836, to take effect on July 10.

¹⁹ Obituary of Neil Campbell, *Evening Herald*, July 11, 1891: 4. Neil Campbell, late manager of Baine Johnson & Co. in Newfoundland, left Rothesay, Scotland in 1852 and worked for the Rutherfords for four years.

The Cargo of Schooner *Spring*
from Bathurst,
150 pieces SCANTLING
2500 feet STUDDING
8000 Do. 1-2 in. Pine PLANK
10000 Do. 2 " ditto
30000 Do. Pine BOARD
2400 Pieces PALING
8 M-LATH
RUTHERFORD, BROTHERS
Im.
August 22.

FOR SALE,
BY THE SUBSCRIBERS,
325 Boxes SOAP, 60 lbs.
550 ditto ditto 30 do
400 ditto ditto 20 do
252 ditto ditto 18 do
Ex *Nandagus*, from Liverpool.
RUTHERFORD, BROTHERS.
August 8.

Fig. 6a

ON SALE.
BY THE SUBSCRIBERS
Ex *Susan E.* from New York,
1000 Barrels Extra Superfine FLOUR
100 ditto C. I. PORK
20 ditto Corn Meal
100 boxes Mould Candles
50 ditto Soap
21 ditto Tobacco
Ex *Margaret* from Cape Breton,
120 Firkins Butter
RUTHERFORD, BROTHERS.
Sept. 19.

Fig. 6b



THE SUBSCRIBERS
Respectfully intimates that they have
received per "*Queen*" from Liverpool,
their Spring supply of
**MANUFACTURED GOODS
& GROCERIES,**
—ALSO—
The cargo of the Schooner "*Mary
Jane*," from P. E. Island,
CONSISTING OF
POTATOES—TURNIPS—BUTTER
—PORK—LARD—HAIR for Plas-
ters, which will be sold cheap for
Cash.
RUTHERFORD BROTHERS.
May 28. Im.

Fig. 6c

ON SALE.
EX COMMISSARY.
THE SUBSCRIBERS
are now landing from above vessel just
arrived from Montreal—
1200 bbls. No. 1 Flour
50 do. Pease
40 do. Oatmeal
100 firks. Butter, very good
100 sides Sule Leather
50 dozen Brooms
15 do. Water Buckets
20 boxes Tobacco, prime
RUTHERFORD, BROS.
Im.
Sept. 5.

Fig. 6d

Ex "*Rover*."
THE SUBSCRIBERS offer for sale the
cargo of above vessel from Barbadoes
consisting of
135 Fardlocks Molasses
10 Hogsheads do
5 Tierces do
6 Barrels do
25 do Sugar,
RUTHERFORD BROTHERS.
May 8 Im.

Fig. 6e

ON SALE.
Ex "*Eureka*."
By above vessel from Boston we have
received the following :—
1000 bbls Canada Flower
50 boxes Tobacco
50 sides sole Leather
25 dozen Brooms
20 do Jump Chimneys
10 do Chairs
10 do wash Baskets
5 do Bakers
2 do "Bridles
1 barrel Blacking
1 cask Matches
AND
CASES MUSKETS
RUTHERFORD BROTHERS.
Im.
May 8.

Fig. 6f

Fig.6: Rutherford Brothers ads showing the diversity of their stock and suppliers. Harbour Grace *Standard*: 6a) September 19, 1860. 6b) *ibid.* 6c) May 28, 1862. 6d) November 14, 1866. 6e) June 5, 1867. 6f) *ibid.*

The 1850s were a period of expansion for the business. Originally located a few doors east of Baine, Johnson & Co., Rutherford Brothers moved in 1852 to larger premises on Water Street, the town's principal business district (*Weekly Herald and Conception Bay Advertiser*, January 1, 1853: 3). (Fig. 7)



Fig. 7: Detail of a fire insurance map showing Harbour Grace, Newfoundland, August 1914, population 4700, 1914. Area of Water Street including Rutherford Brothers store, destroyed by the fire of 1856.

<http://collections.mun.ca/cdm/compoundobject/collection/maps/id/739/rec/162>

George and Andrew also looked outside of Harbour Grace, opening a branch in St. John's in 1854 probably in response to their older brothers' recent business misfortunes. Filial support aside, the St. John's branch likely was a good business move as it would have put them directly in touch with business affairs in the capital. R.G. Dun & Co., recorded its impression of Rutherford's financial status and business acumen from 1855 to 1869. The early entries are laudatory: "Keeps a good shop and does a fair business" (October 22, 1855); "...have done a first rate retail trade and have accumulated considerable means...." (March 23, 1858); "...do a good deal of business for their capital which is estimated at 5 or 6,000 £...pay promptly and generally regarded good for engagements...." (October 15, 1861). (Newfoundland, Vol. 10, p. 52, R.G. Dun & Co. Credit Report Volumes, Baker Library, Harvard Business School.) Good times though do not last forever as the Rutherfords experienced.²⁰

On April 12, 1858, fire, that perennial scourge of early island towns with their clusters of wooden buildings, consumed Rutherford's store along with many of the town's principal businesses on Water Street between Victoria and LeMarchant Streets. (Fig. 8)



The Conception-Bay Man reported that "...upwards of sixty families were deprived of the means of continuing their trade and business, the whole nearly were Tradesmen, shopkeepers and supplying Merchants" (April 14, 1858: 2).

Fig. 8: Detail of a fire insurance map showing Harbour Grace, Newfoundland, August 1914, population 4700. Rutherford Brothers relocated to 223-225 Water street (shown at the top of the map) after the fire of 1856.

(<http://collections.mun.ca/cdm/compoundobject/collection/maps/id/739/rec/162>).

Many had no or little insurance and sufferers petitioned the Newfoundland legislature for aid. The paper specified that "...messrs Ridley's and Rutherford's beautiful brick building with nearly all it contained is a loss....". The loss must have been substantial to the extent that the list of goods Rutherfords advertised for sale in 1851-1852 reflects what they might have had in the store at the time of the fire.

RUTHERFORD BROTHERS HAVE RECEIVED per *Louise, Jane Erskine, Jemima, and Bideford*, PART OF THEIR FALL SUPPLY OF MANUFACTURED GOODS, CONSISTING OF – MEN'S WELLINGTON, DECK, HAMBURG AND BLUCHER BOOTS, Women's prunella, cloth & leather Boots, Men's & Wo's Pumps and Shoes, Children's lace & blucher Boots & Shoes, Men's & Boys worsted, cloth & fur Caps Beaver, satin & rustic Hats, Black, check, spun & corah Silk Handkerchiefs Paramatta & satin Socks & Neck Ties, Gala Plaids in great variety Black & coloured Coburgs and Orleans, Crape de Laines, Saxonies & Prints Flannels, Serges, Baize, Tick & Diaper, Velvets, Stockport, Regatta & Serge Shirts White & col'd Counterpanes and Quilts, Blankets, Blue Rugs, Blanketing & Sheets Oilscloth, Moleskin, Drills, Umbrellas, Straw & Tuscan Bonnets, Lace Caps Cap & bonnet Ribbons, Blonde & Edging, Men's Women's & Children's Cashmere Gloves, Men's worsted & yarn Hose & Socks, Women's white & gray l.w. Hose Black Indianna and plaid Shawls & Hdkfs., Irish Linen, brown and Scotch Holland Cotton Carpeting, White

²⁰ For the reader's benefit, abbreviated words in the Dun ledger entries have been written out in full.

and grey Calicoes, Copenhagen Frock and Caps 4-4, 5-4 and 6-4 Chinese matting for floors, Ticklenburg, Duck & No Canvas Children's Hoods & Bootees, Doeskins, Pilot and beaver Cloth and Coating Yarn, Worsted, Braces, Cravats & Scarfs, Breadpans, Candlesticks, Bellows & Razors Razor strops, Knives, Forks, Iron and b.m. Tea and Tablespoons, Hatchets Plate, box and Padlocks, Pen & pocket Knives, Awls, Sail Needles and Scissors Side, s. tooth & Rack Combs, Slates and Pencils, Room & writing Paper Copy Books and Ink, Congou, twankay, young, and old Hyson TEAS Brown, bastard, crushed and loaf Sugar, Coffee, Cocoa, Chocolate, Currants & Rice Pepper, Mustard, Carroway Seed & Allspice, Tobacco, Soap, Starch, Blue Soda and Candles, Salaruatus, Brushes, Blacking and Hemp, Sole and Offal Leather, Window Glass 7x9, 8x10, 10x12, 10x14, 12x14, & 18x22 (*The Weekly Herald and Conception-Bay General Advertiser*, January 7, 1852: 3).

Henry died in 1859, leaving his two brothers to continue the business. Ownership over his portion of their partnership fell to his daughter, Harriet, his sole heir, his wife having predeceased him. As Harriet was a minor, the court ruled in 1861 that her inheritance should be removed from the business and invested in a separate fund (Morris 1900: 589). The sudden loss of capital was problematic coming especially as it did on the eve of the 1860s, a period of decline for the Newfoundland cod, herring, and seal fishery. From 1860 to 1869, Newfoundlanders suffered "eight years of misfortune" (*Newfoundland Royal Commission, 1933*: 13). Year after year the number of fish taken fell. The water was described as a slimy green. There was no explanation for the cause, but the effect was painfully obvious. Fishermen and their families starved, the government tried to provide support but businesses whose livelihood was vested in the fishery fell upon hard times and failed. Rutherford Brothers was not immune. Andrew's name appears regularly in descriptions of court cases where the firm sought to recover small sums owed to them for retail purchases. The Rutherfords also were named in two suits before the Supreme Court of Newfoundland that illustrate some of the difficulties merchants faced dealing with the fishery at this time.

In 1863, George C. Rutherford sued Edward Pike for half ownership of his vessel *Glide*. In August 1861, Andrew Rutherford had agreed to provision Ambrose Pike (son of the defendant) for the fishery if his father would give him (Ambrose) half ownership of his ship. A bill of sale was made out and supplies turned over to Ambrose. Then, in October 1862, Rutherfords asked Ambrose to mortgage his half of the vessel to secure his debt of £178 for the Rutherfords. Ambrose promised to do this but then "executed a bill of sale of the whole of the vessel" back to his father. In December, Ambrose was declared insolvent and his estate's trustee sold his half interest in the ship to the Rutherfords. Edward refused to acknowledge the Rutherfords' right of ownership, claimed he had never "executed a bill of sale to Ambrose" and that the document was a forgery. After extensive investigation involving testimony of several witnesses, the court in 1864 found in favour of the Rutherfords with costs. In his summation of the case, Justice Little wrote: "The Rutherford's (*sic*) leave this court without the least imputation on their integrity and truthfulness" (Morris 1899: 39-43).

The second case involved a missing warrant. In July 1867, P. Grace (servant) sued Rutherford Brothers for his wages. A planter named Whelan had instructed the Rutherfords, his supplying merchant, to pay his servant's wages. Rutherfords paid Grace partly in cash (£6) and partly in the form of an order on their shop for £7 16s 5d. Grace then took over £1 in goods and had his order endorsed. Subsequently he approached Rutherfords for the balance of his order but

as he had lost it they refused to provide goods until he produced the order or let one month elapse (time for him to find the original order) after which if the order remained unfound, they would issue a new order. Grace began the process to sue Rutherfords but then found his order four days later. Grace’s lawyer continued the suit arguing for damages as a result of nonpayment. The court held for the Rutherfords (Morris 1899: 214-216).

Not only did the worsening economy adversely effect the business, but the brothers also had to contend with the depredations of their fellow man. As noted above, elections in this age could be tumultuous. In April and May 1861, province-wide riots caused extensive property damage. On nomination day, April 26, a crowd from Carbonear and Harbour Grace moved down Main Street breaking windows and causing general mayhem. Several businesses were damaged including Rutherfords, which lost windows, fan lights, sashes, and a large number of plate glass panels in the shop. Damages, including the labour and materials to make repairs, were estimated at £16 7d, approximately three months pay for a general labourer (*Journal of the House of Assembly* 1863: 887). Rutherfords received compensation from the government to the tune of £12 16s 3d (*Public Ledger*, September 5, 1862: 2).

The year 1864 was the low point of the decade for the two brothers. The court order to pay out their deceased brother’s share in the company put pressure on Rutherford’s ability to meet business commitments. The Dun credit ledger describes how London-based Foster, Porter & Co., one of Rutherford’s major suppliers, was losing confidence in the firm owing to late payment of an acceptance. Rutherfords forged ahead, however, and Dun’s assessments in 1865 and 1866 were cautiously optimistic: “...have been doing a fair business, are upright...but have

all they can do to meet engagements. Were once wealthy, are with now a surplus of problems...endeavour to be prompt and think them deserving” (July 18, 1865); “Holding their own and must have done fairly this spring” (February 10, 1866). By 1869, the Dun assessment was more positive: “ Did not compromise in strict sense of term, were and are perfectly able to pay in full....They are meeting their paper as it becomes due. Business is going on as usual....Are very honourable men somewhat hardup for ready means but supposed to have plenty to meet all liabilities” (February 20, 1869). The same entry described how the brothers had travelled to England that year to demand from their suppliers a 12½% reduction, “2/6 in the £,” in the size of their accounts in view of their longstanding relationship of 27 years. According to the Dun records, this “...they all readily agreed to.”²¹ (Fig. 9)

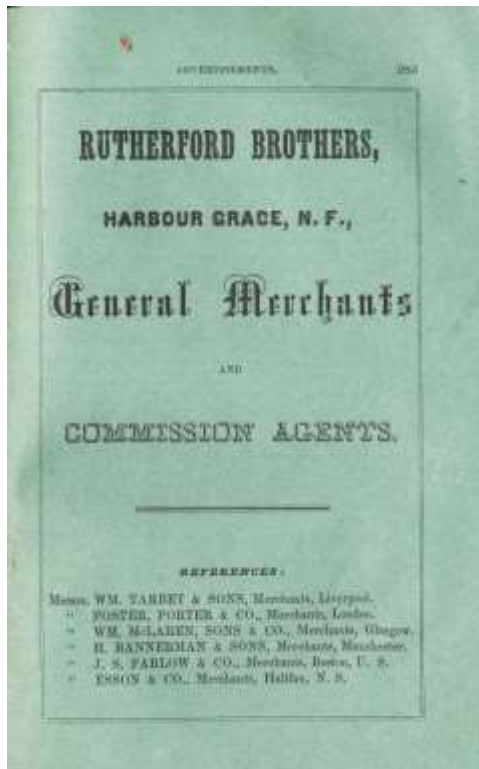
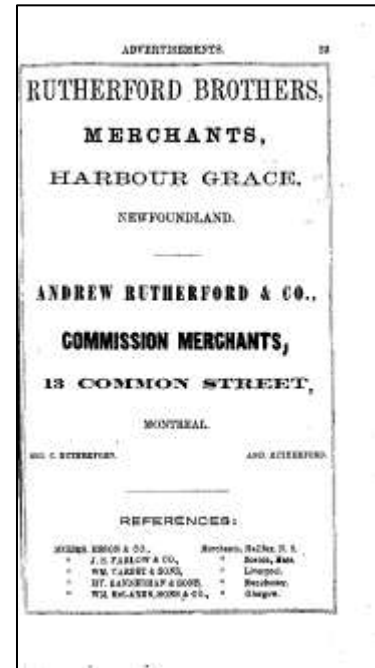


Fig. 9: Ad for Rutherford Brothers showing their business contacts. (Hutchinson: 1864: 283).

²¹ All the above citations come from the ledger Newfoundland, Vol. 10, p. 52, R.G. Dun & Co., Credit Report Volumes, Baker Library, Harvard Business School.

Rutherford Brothers also managed some degree of expansion during this period of doubtful advancement. In 1865, they operated an office, probably a small store, in the Bay of Islands on the west coast of Newfoundland to service workers in the area and on the Labrador shore (Sutherland 1866: 98). They also ran a commission business in Montreal under the name of Andrew Rutherford & Co. for a short time at the end of the 1860s.²² Located at 13 Common Street on the Montreal waterfront, they shared a building with other commission merchants, a coal merchant, and sailmaker. Common Street ran from the Custom House to the Lachine Canal Basin. Neighbours included the Royal Fire and Life Insurance Co. (at no. 1), the Hudsons Bay Co. (no. 17) and the office of H. and A. Allan (no. 22), agents for the Montreal Ocean Steamship Co. (Fig. 10)

Fig. 10: Ad for Rutherford Brothers in Harbour Grace and Montreal. Note the absence of Foster, Porter & Co. from their list of references. (McAlpine: 1869/70: 39).



Rutherford Brothers' affairs may have turned the corner, but the writing was on the wall. In December 1870 the firm was declared insolvent.²³ The passing of a companion business probably was the immediate cause. According to the anonymous writer of George's obituary, Rutherford's business did not prosper after the failure of Messrs. Ridley. Ridley & Sons was a major mercantile firm in Harbour Grace. In 1855, R.G. Dun & Co. recorded: "This is one of the largest firms in Newfoundland, does an immense business, Own a large amount of real estate and a number of vessels. Keeps a very fine establishment and gives employment to thousands, are undoubtedly good" (Newfoundland, Vol. 10, p. 50, R.G. Dun & Co. Credit Report Volumes, Baker Library, Harvard Business School). Ridleys was heavily engaged in the fishery, sending large numbers of ships to the seal hunt every year (*The Standard and Conception Bay Advertiser*, July 15, 1910: 1). In 1863, they sent 17 ships north whereas Rutherford's sent two ships (*The Record*, March 14, 1863: 3). Declared insolvent in November 1870, it failed as a direct result of the depressed fishery. Rutherford's did business with Ridleys. The two firms shared a building on Water Street and Ridleys is known to have shipped fish to Montreal for the brothers (Sharp 1889: 105). While we do not know the exact nature or extent of their business relations, the timing of Rutherford's insolvency on the heels of Ridley's failure suggests that the former influenced the latter.

²² See the ad on page 39, *McAlpine's Halifax City Directory for 1869-70*.

²³ Keith Mathews Files report from the *Royal Gazette and Newfoundland Advertiser* of December 18, 1870.

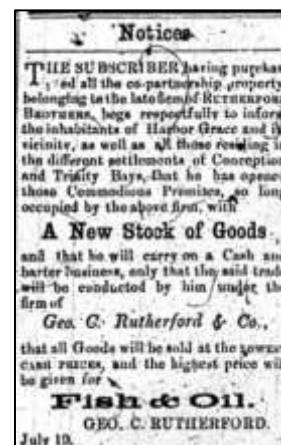


In April 1871, Rutherford Brothers advertised to sell their premises at 223 and 225 Water Street, consisting of a shop, store, and wharf. Two houses, presumably their own, were included and immediate possession was offered (*Harbour Grace Standard*, May 24, 1871: 3) (*Fig.11*) About this time, they closed their Montreal business. Lovell’s Montreal city directory of 1870-71 is the last to mention the branch. They continued to liquidate assests through 1872, offering their interest in houses on LeMarchant and Harvey Streets in Harbour Grace (*Harbour Grace Standard*, October 9, 1872: 3).

Fig. 11: Rutherford Bros. notice for sale of premises (*Harbour Grace Standard*, May 24, 1871).

George and Andrew moved past adversity and opened new, separate businesses. On July 19, 1873, George gave notice in the *Harbour Grace Standard* that he had purchased the property formerly known as Rutherford Brothers and would be conducting a similar retail trade for cash or barter under the name of Geo. C. Rutherford & Co. There is no information about who constituted the “& Co.” portion of the new firm, but it is a strong possiblity that George’s brother Andrew was still in the picture. Ads for a variety of goods, including lumber from New Brunswick and sausages from the Dominion of Canada, appeared in the local paper for the rest of the decade. (*Fig.12*)

Fig. 12: Notice of opening of Geo. C. Rutherford & Co. (*Harbour Grace Standard*, July 19, 1873).



It appears that in the end George was forced by an arrangement with his creditors to take one Richard Rutherford into partnership to liquidate his estate which paid 7s 6d on the pound (*Harbour Grace Standard*, January 24, 1880: 2).

In 1880, Rutherford’s business was sold to John Maddock (of J. & R. Maddock) for a reported \$20,000 (Munn 1938: 6). Maddock was a commission and general merchant from Carbonear selling a variety of goods ranging from hardware to groceries. George left Newfoundland on June 14 of that year, moving to Toronto and then to Chicago about 1892. He died there in 1910. As mentioned above, Andrew continued in business selling coal and even acting as agent for the sale of the Rutherford’s former premises when J. & R. Maddock closed in 1893 (*Daily Tribune*, May 8, 1893: 1). Andrew died in Harbour Grace in 1919.

Rutherford Brothers – The People

The Dun register described the brothers as “men of good character, habits and capacity” (October 15, 1861, Newfoundland, Vol. 10, p. 50, R.G. Dun & Co. Credit Report Volumes, Baker Library, Harvard Business School). All three brothers had families. Henry married Harriet Green Pring Gordon Stark on June 15, 1853, in Harbour Grace.²⁴ The union did not last long as Harriet died September 11, 1857, and Henry shortly thereafter on August 24, 1859. They had one

²⁴ Harriet was the second daughter of John Stark, Chief Clerk and Registrar of the Northern Circuit Court of Newfoundland. The ceremony was officiated by Rev. Moses Harvey, Free Presytorean Church of Scotland. See *Royal Gazette and Newfoundland Advertiser*, June 21, 1853: 3.

daughter, Harriet Sophia, who passed under the guardianship of her grandparents, the Starks. In 1861, George challenged the grandparents' rights over the child in court after they had announced their intention to return to England. The court found that the Starks could not remove Harriet, a minor, from its jurisdiction, so the couple chose to remain in Newfoundland (Morris 1900: 589).

In March 1851, George married Elizabeth Oliver, at Jedburgh, Roxburghshire, Scotland (*Morning Courier*, April 2, 1851: 3). Andrew married Sarah Moore of Trinity Bay and had two daughters (*The Standard and Conception Bay Advertiser*, November 7, 1919: 2).

The brothers were Presbyterian and like many in this period actively practiced their religion. They attended the Methodist Church until a "kirk" was built in 1855 (*Standard and Conception Bay Advertiser*, June 27, 1902: 4). One writer attributed the coming of the church to their mother Margaret who had moved to Newfoundland to stay with her sons in Harbour Grace sometime after the death of her husband Robert. However, Montcrieff in his chapter on the history of the Presbyterian church in Harbour Grace makes no mention of her. George was a trustee of the Presbyterian Church of Harbour Grace in 1861 (Montcrieff 2017: 62). The firm also subscribed money for the support of the Labrador mission in 1865 (Sutherland 1866: 98).

George was heavily involved in civic affairs. He was a founding member of the Harbour Grace Water Co., a director of the Harbour Grace Gas Co., and active in the British Society, Conception Bay. He also was the first Grand Master of the Harbour Grace Masonic Lodge, No. 476, formed in 1867. In 1869 he also was vice-president of the Harbour Grace Agricultural and Horticultural Society and later its treasurer. During the 1870s, in addition to devoting time to the business, George was a Justice of the Peace for the Northern District and an official in the Free Kirk of Scotland, Board of Education for Harbour Grace (Rochfort 1877: 49). Beginning in 1874, he was a member of the Harbour Grace Board of Health.

The brothers also had an interest in local politics. In 1860, George and Andrew signed a petition asking the government to set aside the election of James L. Prendergast, assembly representative for Harbour Grace, as his election had been won using intimidation and violence (*Journal of the House of Assembly* 1860-61: 23).

The Tokens

a. Tokens in the life of the Rutherford Business

The many vicissitudes in the Rutherford family businesses no doubt influenced the issue of their tokens, but given the lack of documentation we cannot with certainty relate one to the other. However, some reasonable suppositions are possible.

The largely retail cash nature of the Rutherford businesses gave the brothers an opportunity to circulate their tokens en masse, which accounts for their relative availability today. At St John's, despite the date 1841 on some pieces, the tokens probably were not issued before 1842 when, as noted earlier, R. & J.S. Rutherford formalized their advertising, adopting the fleece and adding the second initial to James' name as appears on the tokens. It is also possible that the Rutherfords began issuing tokens in 1843, prompting the complaint from Michael Scanlon and others which led to the abortive legislation of 1844. The issue probably ended in 1849/50 with the demise of the business and the end of the partnership.²⁵ During the

²⁵ This is not a certainty. One might argue that as good businessmen, the Rutherfords would have sought to maximize their assets. Since Robert continued using the golden fleece in advertising between 1852 and 1854, he also may have continued using old tokens. Given the perennial shortage of small change in the colony, the wrong authority on the tokens would not have impeded acceptance. After all, they circulated alongside anonymous tokens from other areas.

eight or so years that they were in business, R. & J.S. Rutherford issued two types of tokens: undated and dated pieces. For reasons discussed below, it appears that the firm's first issue appearing in 1842/3 was undated. The dated pieces followed, probably after the destructive fire of June 1846, making them a commemorative issue marking the date when the firm opened.

In Harbour Grace, like at St. John's, despite the lack of corroborating documentation, some reasonable suppositions may be made. The retail nature of the business gave Rutherford Brothers an opportunity to issue numerous pieces between their opening in 1846 and the adoption of decimalization by Newfoundland in 1864. The date 1846 which appears on the tokens likely indicates the year the business opened and not the year of issue.²⁶ There are too many varieties of the Harbour Grace tokens for them all to have been issued in 1846. In fact, there is no evidence that Rutherford Brothers began issuing tokens in that year and in view of research noted below the issue may not even have started until 1850. The brothers' newspaper notice of April 1862 offering to accept their tokens at full value suggests that they were actively handling their tokens at least until that year. The loss of the store and its contents to fire in 1858 probably prompted the brothers to order more tokens. The opening of the branch in St. John's in 1854 also gave the Rutherfords an outlet to circulate pieces in that city until 1861 when the branch closed. The question here is which pieces?

b. Contemporary References

There are few contemporary references to Rutherford tokens. In fact, the few references found to date come from the 1860s and 1870s. Taken as a whole, they indicate that the tokens circulated on the island up to and beyond the government's adoption of decimal coinage in 1865. McLachlan in fact claimed that the tokens "formed at one time the chief copper circulation of the island" (1886: 109).

The tokens do not seem to have been discredited as some authors contend.²⁷ At worst, they were called irresponsible in a comment from May 1862, when an anonymous writer in the St. John's *Patriot* complained about the state of copper currency in circulation. He compared the "Speed the Plough" token that had been available for some time with the Rutherford pieces saying, "It is of equal value at least to the 'Rutherford halfpenny' and to the other irresponsible coinage with which the city now abounds" (*Patriot* May 2, 1862: 3).

In fact, some held the tokens in good repute. In 1863, the government announced its plan for replacing spurious coppers. Beginning January 2, 1865, people were required to complete a form, sworn and signed before a magistrate, pledging that they had not imported the pieces in their possession. In return, they would receive half the value of their old coppers in new cents. This was interpreted by many, including the banks and post office, to mean that the old coppers should only be taken for a farthing. Understandably, there were complaints and public meetings to denounce the measure. In response, Rutherford Brothers gave notice that their halfpennies would be received by them at full value (*The Standard*, April 29 1863: 2). Later, in discussing the adoption of the decimal system, another anonymous writer even went so far as to claim that the misguided redemption program was driving copper out of circulation in the period before the introduction of the new cents and had it not been for "our Rams" Newfoundlanders would have been in dire straits (*The Standard*, December 16, 1863: 2).

²⁶ It is unreasonable to maintain that a company in business for over 20 years issued tokens of different designs and physical characteristics only in their first year of business.

²⁷ Willey (1979) claimed that the Newfoundland expression "Not worth a Rutherford Ram" signified public contempt for the tokens.

It is not known how many Rutherford tokens were exchanged in 1865 and in the years following the adoption of the decimal system. The *Journals of the House of Assembly of Newfoundland* in 1866 and 1867 record the number of coppers taken in under the redemption program but do not segregate old coppers by issue except to differentiate between regal halfpence, farthings, and so called “old copper coin.” Rutherford halfpence along with “Speed the Plough,” “Ships Colonies and Commerce,” and a myriad of other Canadian and foreign coins and tokens in general circulation at the time would have made up the 61,800 old coppers redeemed in 1865 and 1866. These were sold to J. & W. Pitts, a St. John’s broker, auctioneer and commission merchant, for the same price as paid by the government (*Journal of the House of Assembly of Newfoundland*, 1864, 1st Session: A-50; 2nd Session: A-58).

Newspapers suggest that Newfoundlanders were not quick to embrace the new decimal system. Some felt that parliamentarians had not given the question due consideration before abandoning sterling. Many continued using old coins and tokens. In 1872, a body was pulled from the waters near Cape St. Francis. The authorities identified it as a sailor who had drowned near Harbour Grace a few weeks earlier. In his pocket were found silver coins and a Rutherford “ram halfpenny” (*The Standard*, September 4, 1872: 2). Even as late as 1886, McLachlan noted that “Rutherford tokens are still occasionally met with in circulation.” It is unclear if he was referring to the situation in Newfoundland or at his home in Montreal, Canada’s emporium of the 19th century.²⁸

c. Numismatic Historiography

By the mid-19th century, cataloguers had added the Rutherfords to lists of British colonial or Canadian tokens. The Rev. Henry Christmas (1862: 191) first mentioned the tokens in the *Numismatic Chronicle* of 1862. He included two pieces, the St. John’s issue of 1841 and the 1846 issue from Harbour Grace. Oddly, no mention is made of the undated token from St. John’s. Sandham (1869: 13-14) listed five pieces (nos.6-10); these included the undated St. John’s (no. 6); dated St. John’s (no. 7); Harbour Grace issue of 1846 (no. 8); a version with larger letters and a longer ribbon (no. 9), no doubt the so-called “stella” variety (Co. 8); and an undated variety (no. 10). Later, Kirkwood (1885: 28) said: “Sandham’s statement that they [the Rutherfords] issued a token without date for Harbour Grace, is, I believe, false. I have examined many thousands of these tokens and never found one, nor was one ever known in St. John’s.”

LeRoux (1883: 19-20) and (1888: 21-22) came to the same conclusion and only listed four pieces, nos. 8, 9, 11, 12, and nos. 319-322, respectively. McLachlan (1886) did the same (nos. 487-490). Atkins (1889: 270) referenced the same pieces as Sandham (nos. 57-59), including the undated variety from Harbour Grace (no. 60). Breton (1894: 196-197) gave the tokens two numbers (952, 953), one for each business, and then described the varieties, two from St. John’s and three from Harbour Grace. Courteau (1930: 69-70) published a die study of the Rutherfords as part of a larger article about Newfoundland coins and tokens. He was the first to include information about the die axis and thickness of the flans. Carroll (1954: 14) added one die variety to this list and published a manuscript of Rutherford die varieties that W.A.D. Lees of Ships, Colonies and Commerce fame had prepared in 1917. Willey (1979: 315-316) assigned numbers 180 to 186 to known pieces and added weights to the discussion. Charlton (2012: 2-3) separated the two issues by city and then assigned numbers based upon the design, die axis, and composition.

²⁸ Rutherford tokens circulated in Montreal during the 1860s, as attested by pieces bearing Devins & Bolton counterstamps.

d. Numismatic Iconography

The obverse of all Rutherford tokens consists of a ram's fleece facing left, hanging in a sling from a five-petal flower flanked to the left and right by the ends of the ribbon. Above is the name of the issuer and below in two lines the place of issue. Depending upon the issue, devices resembling elongated six-pointed stars, chysanthemums or mayflowers separate the issuer's name from the place of issue along the border at about 3 and 9 o'clock. (Fig.13)



Fig. 13: Obverse of Rutherford Brothers token (Co. 3) showing hanging fleece.

This design is unique among Canadian tokens and historically interesting. The imagery of the fleece in a sling, the golden fleece of Jason and the Argonauts fame, was a symbol in business long before the Rutherfords. It specifically represented the woollen and textile industry and was used by hosiers in their advertising signage. Several 18th century English merchant tokens from Norfolk, Yorkshire, and Lancashire, counties that derived considerable income in the 18th and 19th centuries from the woollen and cotton industry, include this imagery in their designs.²⁹ (Fig.14a-e)



Fig. 14: The hanging fleece motif on some early 19th century British tokens. a) Leeds, Yorkshire 1/2 d (1966.160.1195); b) West Riding, Yorkshire 3d (1974.151.634); c) Norwich, Norfolk 1/2 d (1964.43.437); d) March, Cambridgeshire 3d (1974.151.611); e) Bath, Somerset 1d (1965.136.4668). Courtesy National Currency Collection, Bank of Canada Museum.

For the Rutherfords, perhaps the fleece symbolized good times to come as noted on one such token from Norwich, or perhaps "Peace and Plenty" as advertised on a contemporary Australian token. The use of this symbolism was especially appropriate for the Rutherfords, Scottish lads from the borderlands which derived considerable income from the textile industry and supplied raw material to the West County woollen weavers of Yorkshire.

Pigot & Co.'s Scottish directory of 1837 said:

The manufactures of Roxburghshire are not extensive: if a staple of the county may be particularized, it is that of articles manufactured from wool, the seats of which are at Hawick, where flannels, blankets, woollen cloths, lambs' wool yarn and hosiery are manufactured; at Jedburgh, which furnishes woolens, hosiery and some linens; and at Kelso, producing woolens and some linens (1837: 745).

²⁹Richard Bacon halfpenny, Norwich, Norfolk, 1794, D&H 13; John Kershaw halfpenny, Rochdale, Lancashire, 1791, D&H 140; Samuel Birchall halfpenny, Leeds Yorkshire, 1795, D&H 28; see Heaton 1920: 257ff.

The economic base of the area remained unchanged through the remainder of the 19th century. An 1893 business directory for Roxboroughshire described the area thus:

The manufactures of Roxboroughshire is that of articles manufactured of wool. The seats of which are at Hawick, Jedburgh, and at Kelso, where flannels, blankets, tartans, woolen cloth, lambs'- wool yarn and hosiery are extensively manufactured (*Roxburghshire* 1893).

The use of family arms is unusual on Canadian tokens; Peter McDermot's token from Saint John, New Brunswick, is the only other such piece. The arms on the reverse of all Rutherford tokens is that of the Rutherfords of the Ilk, one of several Scottish families named



Rutherford. (*Fig.15*) Records of their exploits extend back to the 13th century and were published by Thomas Cockburn-Hood in 1884. The original 13th century arms consisted of a shield containing three martlets standing atop a smaller shield. White horse supporters were added to the Rutherford arms after Charles II granted the peerage to Andrew Rutherford, first Lord Rutherford, in 1662. The arms as it appears on the tokens, with mermaid crest and baronial helmet, probably achieved its final form at this time.

Fig. 15: Detail of the title page of *The Rutherfords of the Ilk* by Thomas Cockburn-Hood (1884) showing the family arms (<https://archive.org/details/rutherfordsoftha00ruth/page/n7>).

In his authoritative work on the Scottish peerage, Paul (1910: 384) describes the Rutherford arms thus:

Arms – Argent [white], an orle gules [red] and in chief three martlets sable [black], all within a border azure [blue] charged with thistles, roses, fleurs-de-lys, and harps or alternately.

Crest – A mermaid holding in the dexter hand a mirror, and in the sinister a comb, all proper.

Supporters – Two horses proper.

He records the motto as “Provide,” but according to Cockburn-Hood this was only used by cadets of the family in place of “Per mare per terras” (“By sea and by land”).

e. **Composition**

Early cataloguers were not consistent in describing the composition of Rutherford tokens. They called the pieces copper and brass but they also used “bronze” (LeRoux 1883: 19), “paler metal” (Batty 1898: 1270), “red copper” and, my personal favourite, “brassy copper” (Lees 1917). Such confusion is understandable in an age when collectors relied on their vision to identify the metal and their only recourse to an objective analysis meant the destruction of their prizes. Such confusion persists even today. Despite the benefit of X-Ray Fluorescence to determine the percentage of elements in a sample, in the absence of a specific vocabulary that is generally understood by all and sundry it is difficult to describe clearly the composition short of listing individual elements of an alloy. Recognizing this difficulty, auction houses use the term

“copper alloy” to describe objects largely made out of copper. Modern numismatists have not adopted this approach, perhaps reluctant to abandon the perceived specificity of their descriptions. Current catalogues describe Rutherford tokens as copper or brass and in the case of the St. John’s issues, even accord separate numbers to pieces perceived to be made of different metals.

On September 18, 2019, 47 Rutherford tokens from three collections were analyzed as part of this study, using X-Ray Fluorescence to identify their composition. Examples of every known variety were included. While this sample technically may be too small to yield statistically acceptable results given the potential size of the original issues, the results nonetheless are instructive in terms of their consistency. Regional bias is not a factor as these pieces represent material gathered over a 50+ year period from various areas in North America and Europe.

The results indicate that all issues from St. John’s (hoof over apstrophe issue, Co. 1, 1a, and Co. 2) are made out of a copper alloy approaching brass. Each token consists of a mixture of copper, zinc, and lead. Variation in the mixture was not so great as to support catalogue entries in two different metals for these pieces. Percentages range from 90.86 to 93.62 copper, 5.78 to 8.49 zinc and .13 to .54 lead.³¹ In contrast, the Harbour Grace issues (Co. 3 to Co. 8) are pure copper but for a small amount of lead. Values range from 98.4% to 99.75% copper and from .05% to .25% lead. What do these values tell us? They suggest that different mints likely were responsible for producing the St. John’s and Harbour Grace issues and that the material makeup of the two groups was remarkably stable.

f. Die Axis

This is the description of how the reverse of a coin is oriented vis-à-vis the obverse. The result is expressed as a measurement on a scale of 360 degrees. When the orientation is exactly zero the dies may be called “upright” or “medallic”. Similarly, when the orientation is 180 degrees, terms like “upset” or “coinage” are used. The die axis of most Rutherford varieties is either upright or upset. There are, however, two varieties (Co. 1 and Co. 8) where both axes are used. The catalogue below uses the terms medallic and coinage to describe those axes.

A change in die axis may be a sign of successive orders. At about the same period as the Rutherford tokens it appears there was one manufacturer that altered the die axis between medallic and coinage when it filled new orders for the same token. The Habitant issues of 1837 from Canada are a case in point. David Vice (1990) used period records to identify the order dates and number of tokens supplied for each of the four banks involved in the issue. He showed that after the original order for the four banks was filled, the City Bank and the Quebec Bank placed additional orders for penny and halfpenny tokens with the supplier, Boulton & Watt. Tokens from these two banks exist in both medallic and coinage orientation, whereas tokens from the other two are only known in medal orientation. If such a change in orientation was even a limited practice among British mints, then it is likely that the existence of Rutherford tokens with two different die axes represent two different orders. The fact that the token’s mean weight differs from one orientation to the next further supports this view.

³¹ It is doubtful that R. & I.S. Rutherford issued pieces in two entirely different metals. XRF analysis of brass looking pieces available to the author has demonstrated that these pieces have essentially the same composition as examples that are red-brown. The pronounced yellowish colour of some pieces is most likely the result of some environmental factor.

g. Weight

Ansell and others writing about production technology uniformly contend that the weight of British copper coins in this period was not consistent despite the official weight at which they were supposed to be struck. Coppers were not considered as important as silver and gold. Discrepancies in the weight of individual pieces were not serious as long as the appropriate number of pieces made up a pound when weighed (Brooman 1859: 406). Such lack of uniformity sprang from slight differences in the thickness of the metal plate that came from the drawing bench. The way in which flans were cut may also have had an impact. In 1862, bronze flans at the Royal Mint were cut out of the metal in stacks of up to five pieces and not one at a time as with silver and gold (Ansell 1862: 17). If British mints generally had prepared copper flans in a similar manner, then one might expect an equal if not even greater discrepancy in weight among private issues for commercial clients where tolerances did not need to be as stringent. How then do the Rutherford issues stack up?

The weights of over 100 tokens were recorded for this study. Every known variety was represented. It was not possible, however, to ensure that equal numbers of pieces of each variety were available for study in every grade from good to uncirculated. The results nonetheless are instructive. As to be expected, there are discrepancies within each variety in part due to the varying condition of the pieces. For example, the 16 examples in this study of Co. 1, coinage axis, ranged in grade from good to MS-62 and in weight from 7.84 grams to 8.86 grams. Despite similar variation within other varieties, the weight range for each variety appears to be different. Each variety of Rutherford token has a distinct mean weight which suggests that they were produced at different periods as part of separate shipments to fill different orders.

A synopsis of results follows:

Courteau No.	Die Axis	No of pieces weighed	Range of Weights	Mean Weight
1	Medallic	17	9.0-10.45g	9.98g
	Coinage	16	7.84-8.86g	8.42g
1 (hoof)	Coinage	2	8.60-9.36g	8.98g
2	Medallic	25	8.54-9.30g	9.06g
3	Medallic	14	8.13-8.91g	8.53g
4	Medallic	5	7.60-8.09g	7.88g
5	Medallic	3	8.02-8.15g	8.06g
6	Medallic	3	7.56-8.19g	7.95g
7	Medallic	9	6.70-7.61g	7.32g
8	Medallic	12	7.90-8.24g	8.04g
8	Coinage	10	7.30-7.90g	7.57g

Co. 3 is unusual in that there appear to be two groups in this variety whose weights are distinctly different among pieces in the same condition. The first group weighs between 8.51 and 8.91 grams while the second weighs from 8.13 to 8.34 grams. As there appear to be no other differences in die axis or design to suggest separate orders, this anomaly has not otherwise been noted.

h. Diameter and Thickness

The weight of a token is largely a factor of the size of the flan, in other words its diameter and thickness. Neither characteristic at this period remained absolutely stable. As noted above, the original metal fillets were not necessarily even and there were minor variations in the size of the cutting tools and the settings of marking machines used to produce and rim flans. Tokens also wear in circulation, gradually becoming thinner and smaller. Taken together, some slight variation is to be expected even in the measurements of two tokens from the same issue. That aside, one can draw two observations about the size of Rutherford tokens examined for this study. First, the undated St. John's issues, at 28.6 mm, are smaller in diameter than the 1841 dated pieces and their counterparts from Harbour Grace which measure about 29.3 mm. Secondly, over time there is a noticeable decrease in the thickness of flans from a high of 2.1 mm in use for Co. 1 (medallic die axis) at St. John's to 1.6 mm for Co. 7 issues from Harbour Grace. As discussed below, the increasing price of copper mid-century likely brought about this change.

Average measurements for observed pieces:³²

Courteau #	Die Axis	Thickness	Diameter
1	Medallic	2.10 mm (2)	28.6 mm
	Coinage	1.82 mm (4)	28.6 mm
1 hoof	Coinage	1.82 mm (2)	28.6 mm
2	Medallic	1.86 mm (5)	29.3 mm
3	Medallic	1.77 mm (6)	29.3 mm
4	Medallic	1.68 mm (2)	29.2 mm
5	Medallic	1.62 mm (2)	29.2 mm
6	Medallic	1.66 mm (1)	29.2 mm
7	Medallic	1.60 mm (2)	29.2 mm
8	Medallic	1.71 mm (3)	29.3 mm
8	Coinage	1.65 mm (2)	29.4 mm

The tendency toward thinner, lighter flans impacted the quality of strike, which in turn appears to have led to the creation of new dies. This is noticeable in the issues from Harbour Grace. Those dies used for Co. 3 and subsequent "fine wool" issues were designed for use with early, thick flans. Problems surfaced when these same dies were used to strike thinner flans. Areas of the design appeared weak as there was insufficient metal to fill the deep relief of the early dies. The transition surfaces in Co. 6, where the date and RH are not well struck up, and becomes readily apparent in Co. 4 and 5. They exhibit even more loss of detail; legends weaken near the border and areas of low relief in the design on both sides of the token are indistinct.

To mitigate these weak impressions, it appears that the mint engraved new dies; areas of relief were modified and parts of the design reduced or removed entirely. A comparison of Co. 3 and Co. 7 bears this out. The ram's hooves on Co. 7 are smaller, some fleece has been removed from below the ram's horn and, on the reverse, the relief has been lowered in some areas of manteling on either side of the helmet.

³² Figures in parentheses indicate the number of pieces measured. Measurements for each token were taken on the x and y axis and the values averaged to yield the above results.

i. Manufacturer

Since the Rutherfords of St. John's and Harbour Grace were members of the same family, one might expect that they ordered tokens from the same firm. Differences in the composition, physical characteristics, and design of both groups of tokens argue against them coming from one source.

The composition of pieces clearly suggests that two mints produced Rutherford tokens. Pieces from St. John's are a copper alloy approaching brass while those from Harbour Grace are almost pure copper. There are also notable differences in the physical characteristics of pieces from each city. With the exception of the 1841 dated piece, the St. John's tokens share the same reverse die and, at 28.6 mm compared to 29.3 mm, are smaller than those from Harbour Grace. The St. John's issues likewise share the same obverse die but for the rare hoof over apostrophe issue. Perhaps the most notable feature setting the issues of St. John's and Harbour Grace apart is the manner in which the ram has been rendered. Certainly, different die engravers must have been employed. It does not necessarily follow that the engravers worked for different mints, but in view of the physical differences between both groups of tokens this is likely the case here. Both renditions of the ram from St. John's (Co. 1 and Co. 1 hoof) are realistic low relief sculptures of the animal as compared to the characterization from Harbour Grace with protruding lips, a bug-eyed countenance and a fleece represented by raised dots and crescent moons. (*Fig.16*)



Fig. 16: Different versions of the ram's head appearing on tokens from St. John's and Harbour Grace. a) St. John's - Hoof over apostrophe variety; b) St. John's - Co. 1, 2; c) Harbour Grace - Co. 3, 4, 5, 6; d) Harbour Grace - Co.7; e) Harbour Grace - Co.8

Other notable features among some of the St. John's issues not appearing on those tokens from Harbour Grace include a somewhat bowl shaped flan, evident on the undated Co. 1 issues, and evidence of die rotation in the strong multiplication of lettering and the distinctive slant to the beads along part of the border as in the case of the hoof over apostrophe issue.³³ Interestingly, the 1841 dated variety from St. John's has features in common with issues from both St. John's and Harbour Grace. Its composition and design resemble those features on St. John's issues, but its size, flat fields, and absence of die rotation are like those features from Harbour Grace. This issue, however, unlike all of the other Rutherford tokens, has rounded rather than square or square-like edges.

In contrast, the Rutherford Brothers issues from Harbour Grace are more homogeneous. Since all three obverse designs are married with one reverse it is reasonable to expect that only one mint was involved in their production. Also, although three separate designs were used, all of the tokens' physical characteristics, apart from their weight, appear to be the same. In each case, the flans measure about 29.3 mm, the fields are flat, and the edges square.

³³ The impression of a bowl shape is created by the fields rising up at an angle to meet the edge of the token. As a result, the beads are slanting slightly inward toward the centre of the piece. In contrast, the issues from Harbour grace have flat fields which meet the edge of the flan at approximately a 90 degree angle.

Willey (1979) suggested that Boulton & Watt struck the St. John's issues. While possible in view of their sophisticated design, this is unlikely. If one compares the St. John's issues with the Bank of Montreal tokens of 1837 and 1842-44, contemporary Canadian issues known to have been produced by Boulton & Watt, it is apparent that these pieces are not of the same manufacture. In fact, the undated issues with their curious bowl shape, misaligned reverse arms and multiple punched lettering have more in common with the rejected Bank of Montreal sideviews of 1838 produced by an unknown firm.

Who then produced the tokens from Harbour Grace? Kirkwood (1885) claimed that the dies were the work of Ralph Heaton & Co., on the authority of the initials R H appearing on all Harbour Grace issues. Gunstone (1978: 128) lent credibilty to this view when he described an impression of the reverse die among 146 cardboard die impressions produced by Heaton that had been transferred in 1968 from the Birmingham Mint Ltd., a later incarnation of Heaton, to the Birmingham Central Library. Sweeny (1981), however, noted that Heaton was not equipped to strike tokens until they had purchased machinery at the auction of Soho Mint tools in April 1850. To explain the initials on the Harbour Grace issues Sweeny suggested that another firm had prepared the tokens using a die engraved by Ralph Heaton II during the 1840s when he was an engraver and die sinker. So, either some unknown firm produced the Rutherford Brothers pieces or Heaton minted the tokens beginning in or sometime after 1850, five years after Rutherford Brothers opened their store.

Hawkins (1989: 257) wrote that until 1859, Heaton was "the sole major private mint in the country." Who else may have manufactured such sophisticated pieces if not Heaton? W. J. Taylor (1802-1885) is a contender.³⁴ Largely known today for his London public house checks and restrikes of coins and tokens using old dies acquired from Boulton & Watt, Taylor worked as an intern for the famous engraver Halliday and trained members of the Pinches family, celebrated medallists. He is known to have done work for Newfoundland in this period. His name appears on medals commemorating the opening of the new Catholic cathedral at St. John's in 1842 (Leroux 1892 [1964]: 323, 327). Other parties potentially involved in the design would be John Sherriff (1802-1885), the noted die engraver who did commission work for Boulton & Watt, or his partner G. P. Tye. Tye was known for his armorial engravings (Hawkins 1989: 449-450, 482, 711).

It does not seem likely that Rutherford Brothers delayed issuing tokens until 1850 given the potential profit and the example set by their brothers in St. John's. But since no contemporary references to the tokens have been found which date before 1862, and since there is no evidence that any other firm was involved in the production of the Harbour Grace tokens, for the moment we must accept the probability that Rutherford Brothers did not issue tokens until 1850. A review of the letter books, ledgers, and journal of Ralph Heaton & Sons held by the Birmingham Central Library may shed some light on this conundrum.

j. Production

The manner in which the tokens were produced also sets the issues of St. John's and Harbour Grace apart. In his treatise about the Royal Mint, its production processes and equipment, George Ansell (1871) described how dies were made. They might last a day or a few weeks depending upon the quality of the steel or the care taken when preparing these tools. Given this situation, a mint mass-produced its production tools to ensure it had adequate means to fill large orders. The process, if done by hand, involved cutting individual dies. This created

³⁴ Thanks to Chris Faulkner for drawing my attention to the possibility of W. J. Taylor's involvement.

tools with superficially similar but distinctly different designs. The process, if mechanical, is called hubbing and started with the matrix, in effect the original design carved in steel. It might be hand produced or machine made or even a combination of both approaches. The matrix was used to raise multiple punches which, in turn, once each punch had been cleaned, were used to sink a sufficient quantity of dies to strike the order. This process created tools with essentially identical designs but for minor differences arising during the hubbing process from cleaning or enhancing the design.

It would appear that the issues of St. John's were the product of hand engraved dies whereas those from Harbour Grace were struck from hubbed dies. There is no evidence to suggest that the St. John's issues were hubbed. The Harbour Grace issues are another matter. Co. 4, 5, and 6, for instance, are the product of different dies struck by the same punch used for Co.3. They cannot have been the product of the same dies as they exhibit cracks and other blemishes in different areas of the design.

k. Sequence of Issues

In what order were the Rutherford tokens issued? Kirkwood (1885) categorically stated that the undated issue from St. John's that became known as Co. 1 was the first issue. Unfortunately, he was unaware of the existence of the hoof over apostrophe pieces and he provides no evidence to support his contention. Was this claim simply his opinion or did he learn this after visiting Newfoundland? Kirkwood first went to the island around 1877, about 30 years after the first issue of Rutherford tokens, a short enough period for someone still to have been alive who might have remembered. In keeping with this line of thought, later cataloguers have assigned the undated St. John's issues to 1840. However, as noted above, this date does not fit the available evidence, which suggests that the business did not open until 1841 and perhaps did not issue tokens until 1842/43.

The relative weights of tokens may answer the question of order of issue. Mid-century, there was a rise in the worldwide price of copper. Demand for the metal increased as railway production expanded. At the same time, the English copper mines began playing out. To some extent, this was balanced by new mines in Chile. The combination of increased demand and reduction of supply led to an increase in the cost of copper, which must have affected the wholesale price of tokens. From 1838 to mid 1852 the New York price for pig copper fluctuated between 16 and 19 cents per pound. By August 1853 the price had risen to 25 cents a pound and by March 1854 to 31 cents. The price then fell back and held steady in the low to mid 20 cent range for the next several years until another spike in 1864 drove the price over 50 cents per pound. To mitigate the price increase for their customers, manufacturers could use flans of lighter weight or inferior quality, or possibly a combination of both. As noted above, in the case of the Rutherford issues the composition of tokens within each of the two Rutherford groups is consistent. Yet, within and between the tokens of both groups there is a noticeable difference in weight, ranging from 10.5 grams to 6.7 grams. What is more, certain weight ranges correlate to specific designs. If our contention is correct that rising copper prices influenced the wholesale cost of token production, then the heaviest pieces likely represent the earliest production. The order of their issue generally would be as follows:

	Courteau #	Die Axis	Mean Weight	Issue
R. & I.S. Rutherford				
1	Co. 1	Medallic	9.988 (17)	St. John's; Undated regular issue
2	Co. 2	Medallic	9.06 (25)	St. John's; Dated 1841
3	Co. 1 hoof	Coinage	8.98 (2)	St. John's; Undated, hoof over apostrophe
4	Co. 1	Coinage	8.42 (16)	St. John's; Undated regular issue
Rutherford Brothers				
1	Co. 3	Medallic	8.534 (14)	Harbour Grace; fine wool
2	Co. 5	Medallic	8.06 (3)	Harbour Grace; fine wool
3	Co. 8	Medallic	8.046 (12)	Harbour Grace; stella variety
4	Co. 6	Medallic	7.95 (3)	Harbour Grace; fine wool
5	Co. 4	Medallic	7.88 (5)	Harbour Grace; fine wool
6	Co. 8	Coinage	7.57 (10)	Harbour Grace; stella variety
7	Co. 7	Medallic	7.324 (9)	Harbour Grace; course wool

The above chart suggests that Co. 1, at almost 10 grams in weight, was the first issue from St. John's, followed by the commemorative issue dated 1841. Subsequently, there appears to have been a return to the issue of undated pieces (Co. 1, coinage axis). With only two examples available for study, little can be said about the hoof over apostrophe variety other than that it appears to have been issued early in the life of the company, perhaps about the same time as the commemorative issue.

What about the Rutherford Brothers' tokens? On the basis of weight, the fine wool variety (Co. 3-6) appeared first followed by the stella variety (Co. 8), and ending with the coarse wool variety (Co. 7). Co. 3 at 8.5 grams likely was the first issue of the fine wool design and of all the Rutherford Brothers issues. Co. 4, 5, and 6 follow Co. 3. They appear to be more or less contemporary. They share a mean weight at around 8 grams, their flans are thinner at about 1.6 mm, and they all exhibit the same characteristic where parts of their design are not well struck up.

The Stella variety (Co. 8) exists with two die axes. The heaviest pieces, with a medallic axis at 8 grams, appear to be contemporary with Co. 4, 5, and 6, the last of the fine wool types based on weight. This was followed by Co. 8 coinage axis at a weight of 7.5 grams. This type, as noted below, was struck using deteriorated states of the same dies used to strike Co. 8 medallic axis.

Co. 7, the coarse wool variety, appears to be the last Rutherford issue. At 7.3 grams it is the lightest Rutherford token. For all intents and purposes, it is a retouched version of Co. 3. The obverse legend, floral stops, ribbon, and floral support are essentially the same as those appearing on Co. 3-6. The footprint of the fleece is identical to that of Co. 3-6. What sets it apart is the retouched fleece, where areas appear to have been adjusted to accommodate an earlier design for use with thinner flans.

Assuming the above arguments to be correct, then we can assign approximate dates to the issue of specific varieties. Co. 3, as the heaviest variety, was the first issue from Harbour Grace, so it must date broadly between the store's opening in 1846, or the beginning of Heaton's

production in 1850, and the rise in the price of copper about 1853/4. Co. 4, 5, and 6, because they appear to represent attempts to use the original dies to strike thinner flans, are likely transitional issues struck sometime in the mid-1850s when the value of copper increased. Co. 7 then likely comes after the fire of 1858, when new tokens are required and the design has been modified to be suitable for use with thin flans, correcting the mediocre results seen on Co. 4, 5, and 6.³⁵

Why, however, would a completely different style of piece, the stella variety, be interspersed among fine and coarse wool issues? The obverse obviously was modelled after earlier designs but the components are new. The legend is made up of larger letters, the stops resemble mayflowers rather than chrysanthemums, the ribbon ends are longer and they attach below the hanger rather than at its centre as on earlier pieces. The fleece is smaller, the tail more elongated and the neck longer, putting the ram's head opposite the H of HARBOUR GRACE; finally, the wool is made up of circles and lines more in keeping with the style of fleece used on R. & I.S. Rutherford issues. The answer in part may be that for a time Rutherford Brothers operated two facilities: at Harbour Grace (1846-1865) and in St. John's (1854-1861). To distinguish the issue of one office from another they likely used tokens of two basic designs: Co. 3-6 and 7 at Harbour Grace and Co. 8 at St. John's. This is not all that different from the practice of Canadian chartered banks in this period which overprinted notes to distinguish the issues of one branch from another. There is of course no proof, but it is a plausible explanation for the design change.³⁶ Co. 8, then, if intended for use by Rutherford Brothers in St. John's, must date to that branch's period of operation (1854-1861).

The following chart recaps the above hypotheses.

R. & I.S. Rutherford			
Co. 1	Medallic	1841/2	St. John's – 1 st issue
Co. 2	Medallic	1846	St. John's – 2 nd issue; 5 year anniversary issue
Co. 1 Hoof	Coinage	????	St. John's – ????
Co. 1	Coinage	Late 1840s	St. John's – 3 rd and last issue
Rutherford Brothers			
Co. 3	Medallic	1846/50-1854	Harbour Grace – 1 st issue
Co. 4; Co. 5; Co. 6	Medallic	Mid-1850s (1854-1858)	Harbour Grace – 2 nd issue; with thin flans after rise in price of copper
Co. 7	Medallic	1858-1862	Harbour Grace – 3 rd and last issue; post-fire
Co. 8	Medallic	1854-late 1850s	St. John's branch – 1 st issue
Co. 8	Coinage	Late 1850s-1861	St. John's branch – 2 nd and last issue

Catalogue of Issues

³⁵ Interestingly, each group could have been issued over four years: 1850-1854 (Co. 3); 1854-1858 (Co. 4, 5, 6) and 1858-1862 (Co. 7). In the case of the thin flan pieces, their rarity would argue for a shorter period of issue. In 1863, the government announced its plans to adopt decimal currency so it is unlikely that Rutherford Brothers would have placed any orders for tokens after that date.

³⁶ If not for the use of a common reverse and consistent metal content, another explanation would be that Rutherford Brothers, unsatisfied with product like Co. 4 and Co 5, changed mints. Different mints could have purchased flans from a single source, but they also would have had to have shared the reverse die. This seems unlikely. It would be beneficial to know more about the copyright, control, and custody of dies by mints in this period.

Courteau numbers have been included throughout the preceding text and in the following list in deference to their importance as a simple and longstanding means of distinguishing between pieces. Subset letters have been appended to those numbers to highlight a significant difference among pieces of the same design on account of die orientation, flan thickness, repunched letters or, in instances like Co. 1 with hoof, where the design is different but of the same family. To facilitate use of this catalogue, Courteau numbers follow in numeric sequence even though they do not represent the order in which pieces were necessarily issued. For the author's proposed chronological sequence, readers are referred to the chart above. The following list of major designs is likely comprehensive. There is no doubt that other die states exist and can be added to the list.

Two Rutherford tokens described by earlier cataloguers have been omitted from the following list as their existence cannot be confirmed by the author. The first piece is an undated token from Harbour Grace. Sandham (1863) included this piece in his catalogue, but later cataloguers such as Kirkwood (1885), McLachlan (1886: 110), and Batty (1898) questioned its existence. The second piece is a St. John's token of 1841 with a coinage axis. It is listed as NF-1B1 in current Charlton catalogues. LeRoux said the 1841 issue existed with straight and upset reverses. Courteau, unfortunately, was not clear when he described the reverse of the 1841 issue as "similar" to that of the undated piece from St. John's, which he correctly described as existing with upright and upset reverses. Batty, McLachlan, and Lees make no mention of it. More recently, Kamb (2008) has openly questioned its existence.

R. & J.S. Rutherford Issues from St. John's

Courteau (1930) identified two varieties from St. John's: an undated variety (Co. 1) with either a medallion or coinage die axis (Co. 1 and 1a), and one dated 1841 (Co. 2). Sheldon Carroll (1954) published another, undated variety distinctly different in design from Co. 1. This piece is numbered Co. 1b below.

It appears that one mint produced all of these pieces. The undated pieces share a common reverse and at 28.6 mm across they are smaller in diameter than the 1841 dated issue (Co. 2), which measures 29.3 mm. Co. 2, however, shares a common obverse with Co. 1 and 1a. The font appears to be the same on all four varieties even down to the use of a small T with shortened left serif in ST. JOHN'S. Taking into consideration differences in the design, die orientation, and weight of extant pieces, there appear to have been four separate orders of R. & J.S. Rutherford tokens.³⁷

Two obverse and two reverse dies were used to produce the St John's issues.³⁸ Although similar in appearance, each die is an original creation. Subtle differences between tokens that might indicate the use of hubbed dies have not been observed.

³⁷ Metallic composition does not appear to have had any bearing on this series. Despite cataloguers listing copper and brass varieties of St. John's tokens, it is doubtful that pieces were issued in two entirely different metals. XRF analysis of brass-looking pieces available to the author has demonstrated that these pieces have essentially the same composition as examples that are red-brown. The pronounced yellowish colour of some pieces must be the result of some environmental factor.

³⁸ Contrary to current practice, I have identified the obverse as the side of the token with the Rutherford name. The obverse of any coin or token is typically that where the ultimate authority for its issue is referenced. As Rutherford tokens were issued by two independent firms, the authority behind their issue was the business and not the family as represented by the arms.

With the exception of Co. 1b, of which only two are known, all of the St. John's issues are readily available in low to medium grades which speaks to the large numbers that must have circulated. Higher grades tend to be more elusive and pieces in mint state are rare.

Courteau 1 (*Fig. 17a,b*)



Fig. 17: Co. 1 a) obverse; b) reverse. Note the weak strike of the gorget and the crisp detail across the lower half of the shield. Courtesy National Currency Collection, Bank of Canada, Museum, NCC1966.160.1435.

Metal: Copper Alloy Weight Range: 9.0 – 10.45 g. (17) Die Axis: Medallie Mean Weight: 9.988 g.

Co. 1 appears to be the first issue from St. John's. As the heaviest piece in this group, this variety probably was ordered for use early in the life of the firm. In fact, this may have been the token that led to the abortive currency act of 1843. Pieces examined for this study ranged from 10.4 to 9 grams and their average weight was 9.98 grams. The flans also are thicker than other issues. They consistently measure 2.1 mm and like all other issues from St. John's are made out of a copper alloy approaching brass. The die axis is medallie.

As noted above, the obverse of this piece was reused on all other varieties from St. John's but for Co. 1b. They share several distinguishing features: both hind hooves of the fleece are to the left of the apostrophe (*Fig. 17c*); there is a raised line between the forelegs of the ram (*Fig. 17d*); the J of ST. JOHN'S is overstruck on a horizontal guideline at its base; and, double struck letters are visible on better grade issues. These include the S of ST. JOHN'S and the NE of NEWFOUNDLAND. (*Fig. 17e*) Bramah (1929) in his work on English regal copper coins cites Pistrucci in his explanation of such double impressions, calling them the result of a rebounding letter punch in the hands of an inexperienced die cutter.

Portions of the reverse design are poorly aligned. The mantling to either side of the helmet and the compartment to either side of the area below the shield do not align across the vertical axis. In other words, the left and right sides of the design are not mirror images of one another. The die cutter also was careless in working around the centre shield. Vertical lines from the surrounding shield were not smoothed out before striking and intrude into this area.



Fig. 17: Co. 1. c) position of hoof and apostrophe; d) raised line between forelegs; e) indications of double striking; f) imperfection in the reverse field.

Courtesy National Currency Collection, Bank of Canada, Museum, NCC1966.160.1435.

The same reverse die was used to strike all three undated varieties from St. John's. An imperfection in the field near the outer rim at about 11:00 confirms this. (*Fig. 17f*) But the reverse of Co. 1 differs in appearance from the two issues with a coinage die axis (Co. 1a, Co.1b). Since the Co. 1 die axis is medallic, the fleece on the obverse is positioned over the gorget on the reverse. As a result, there is minimal decoration in the gorget area of the helmet, but the shield and its decorative elements are well defined.

Courteau 1a (*Fig. 18a,b*)



Fig. 18: Co. 1a a) obverse; b) reverse. Note the weak strike across the lower half of the shield. Author's Collection.

Metal: Copper Alloy Weight Range: 7.84 8.86 g. (16) Die Axis: Coinage Mean Weight: 8.42 g.

Co. 1a was struck using the same dies as Co. 1, but the orientation is coinage rather than medallic. As a result, the lower half of the reverse shield is not well struck up. During the striking process most of the metal was forced into the fleece, leaving little to fill the fine, shallow design of the shield. The gorget area, however, unlike Co. 1, is well defined. The line running parallel to the base of the helmet is complete on all but well worn examples.

This piece is the lightest of all St. John's issues. Observed examples range from 7.8 to 8.8 grams and the mean weight is 8.42 grams. If, as noted earlier, tokens gradually were prepared on lighter flans for economic reasons, then this issue would follow Co. 2 in order of issue and date to the last years of the firm's operation.

Courteau 1b hoof (*Fig. 19a,b*)



Fig. 19: Co. 1b hoof a) obverse; b) reverse. Author's collection.

Metal: Copper Alloy Weight Range: 8.6 – 9.36 g. (2) Die Axis: Coinage Mean Weight: 8.98 g.

Co. 1b hoof is the piece identified by Sheldon Carroll in 1954. Until recently, the only known example was in the National Currency Collection at the Bank of Canada, when a second example surfaced. With only two examples known it is not possible to establish with any certainty a mean weight for this variety or to place it in sequence of issue. There is considerable variation in the weight of these pieces. Contrary to expectation, the piece in superior condition is lighter than its worn counterpart. Known examples are “Good” and “EF+” and weigh 9.36 grams and 8.5 grams, respectively. Die orientation is coinage and both examples are made of a copper alloy approaching brass like all of the other tokens from St. John's. As so few of these tokens are known today and examples have eluded the notice of collectors for over 60 years, it is likely there was only a small production run of this variety.

The obverse, especially the ram, is unlike that of any other undated issue. The chief diagnostic feature of this variety as identified by Carroll is the position of the ram's hind hoof directly over the apostrophe of ST. JOHN'S. (*Fig. 19c*) There are other differences in design that separate this issue from all other R. & I.S. Rutherford tokens: the position of the lettering is similar but not identical; the shape of the ram's horn on the viewer's left is more round; and, the wool is made up of incomplete lines and swirls rather than circles.

Parts of the design on both the obverse and reverse of this token appear to have been struck multiple times. It is unclear what may have been the cause(s). Affected areas include lettering along the top of the obverse and in particular the I.S. of R. & I.S. RUTHERFORD, the ribbon and floral hanger, and the obverse beads from 7:00 to about 1:00 o'clock. (*Fig. 19d*) On the reverse, the left supporter's hind leg and tail are doubled. (*Fig. 19e*)

Fig. 19: Co. 1b



c) hoof over apostrophe



d) multiple impressions of



e) doubling of the reverse design
the obverse legend

Courteau 2
(Fig.20 a,b)



Fig. 20: Co. 2 a) obverse; b) reverse.

Courtesy National Currency Collection, Bank of Canada, Museum, NCC1966.0160.01438

Metal: Copper Alloy Weight Range: 8.549 – 9.3 g. (25) Die Axis: Medallion Mean Weight: 9.06 g.

This is the dated piece from St. John's. It shares a common obverse with Co. 1 and 1a. Examples weigh from 8.5 grams to 9.3 grams. The mean weight is 9.0 grams, which suggests it was struck sometime between Co. 1 and 1a. All known examples have a medallion orientation like Co. 1 and they are made of a copper alloy approaching brass. This type was struck on larger flans (29.3 mm) than the undated issues from St. John's.

The reverse die is entirely new and not simply a dated variety of that on Co. 1-1b. In this instance, the engraver took greater care in preparing the design. The left and right halves of the helmet mantling are well aligned as are parts of the compartment below the shield and supporters. The centre shield is devoid of extraneous engraver's marks. The martlets are larger than on undated issues.

This token's superior workmanship and design, including a date which probably relates to the firm's opening, suggest that this was a commemorative issue. A logical time for such an issue would be the five year mark, likely in 1846, the same year as the great fire of St. John's. The destruction of the Rutherford business probably necessitated the ordering of new tokens. Why not order a new and better designed issue that would speak to the success of the business? Its weight places it in the correct sequence following what was likely the firm's first issue.

Delamination errors have been observed on some samples. (Fig.20c) They consist of small raised pieces and strips of metal peeling away from the token's body. Ansell (1871: 46) explained with reference to precious metals that these errors were caused by improperly mixed alloys.



Fig. 20:Co.2
c) detail of lamination error.
Author's collection

Rutherford Brothers Issues from Harbour Grace

The obverse design of all Harbour Grace issues resembles those from St. John's and consists of a ram's fleece facing left suspended in a sling from a five-petal flower. The issuer's name RUTHERFORD BROS. appears above, and below, in two lines, the place of issue, HARBOUR GRACE / NEWFOUNDLAND.

The reverse again, as on tokens from St John's, consists of the Rutherford arms and motto. Although similar in appearance, the reverse is noticeably different. The date, 1846, appears below in reference to the year the store opened at Harbour Grace. Between the arms and date appear the initials R H, interpreted to represent the engraver Ralph Heaton II. The mermaid

is shorter and her hair ends at her shoulders; the gorget below the helmet is more heavily decorated; the shield is thinner, as are the bodies of the two supporters; a different font was used for the numbers; and there are more beads around the rim than on issues from St. John's.³⁹

Courteau (1930) identified three different designs from Harbour Grace stemming from different renditions of the obverse. These include the “fine wool” variety (Co. 3-6); the so-called coarse fleece sheep (Co. 7), where the wool to the right of the sling resembles a “25,” and the so-called stella variety (Co. 8), where the ram's head is opposite the H in HARBOUR GRACE and small ornaments described as stars separate the legend. Only one reverse was used for this entire series.

The use of three distinctly different obverse dies coupled with a series of pieces on thin flans (Co. 4-6) and a change in die axis (Co. 8, coinage) suggests that the three brothers ordered tokens on five different occasions. Given the relative availability of all varieties today, except for Co. 4-6, a significant number of pieces must have been produced for each order, enough for use over several years.

This study has not uncovered any major designs not previously described by Courteau. Different die states have been observed that stem from die deterioration or problems in die preparation as noted below. No doubt other die states exist.

Varieties of Rutherford Brother Tokens

Courteau 3 (*Fig. 21a,b*)



Fig. 21: Co. 3 a) obverse; b) reverse. Courtesy National Currency Collection, Bank of Canada Museum, NCC1963.46.14.

Metal: Copper Weight Range: 8.13 – 8.91 g. (14) Die Axis: Medalllic Mean Weight: 8.534 g.

This is the unblemished “fine wool” variety known as Co. 3. Fine wool would seem to be a misnomer as the various dots and shapes making up the wool are no smaller or finer than those appearing on the “coarse wool” variety, Co. 7, and only marginally smaller than on Co. 8. On the basis of its weight, Co. 3 would appear to be Rutherford Brothers’ first issue. As noted above, there is some question when that issue took place, either 1846 when the business opened or 1850 when Heaton’s began striking tokens. Pieces are copper, have a medalllic die axis and range from 8.1 to 8.9 grams. The mean weight of the specimens under study was 8.53 grams.

Several design features set this issue apart from other Rutherford tokens. Unlike previous issues from St. John’s, there is no dot in the centre of the flower suspending the fleece. One

³⁹ The number of beads along the obverse and reverse of issues are as follows: Co. 1 - 93/98; Co. 1a - 93/98; Co. 1b - 95/98; Co. 2 - 93/92; Co. 3 - 101/100; Co. 3a - 101/100; Co. 3b - 101/100; Co. 4 - 101/100; Co. 5 - 101/100; Co. 6 - 101/100; Co. 7 - 101/100; Co. 8 - 100/100; Co. 8a - 100/100.

noticeable difference from later issues is the relative position of the ram's left horn: it does not come into contact with the field but is surrounded by wool. Another notable feature is the use of broken letters, specifically the top of B and the bottom of D. Also, all of the Rs appear to have been sunk from a damaged letter punch. The lower right serif at the foot of the letter shows indications of having been touched up by hand. The nicest example of this token observed to date appeared in the April 2018 Heritage sale of the Doug Robins collection. It is full red, labelled SP-65 but described by the cataloguer as a "spectacularly-preserved business strike".

Courteau 3a (*Fig. 22a,b*)



Fig. 22: Co. 3a a) obverse; b) reverse; c) striations behind ram's horn; d) striations beside sling. Courtesy National Currency Collection, Bank of Canada Museum, NCC1974.151.2646.

Metal: Copper Weight Range: 8.13 g. (1) Die Axis: Medalllic Mean Weight: 8.13 g.

This is an unusual die state of Co. 3. It too has a medalllic die axis and weighs 8.13 grams. The only example observed is in the National Currency Collection at the Bank of Canada. What sets it apart from the previous piece are diagonal striations in relief on the obverse that run through the ram's wool behind the horn and to the immediate left and right of the sling. (Fig.22c-d) Similar but fewer striations also appear on the reverse. The cause of the striations is unknown but may be related to cleaning the die before use. There also are lumps of metal in the field below the R of RUTHERFORD and between the floral stop at 9:00 o'clock and the H of HARBOUR GRACE. The reverse shows signs of die deterioration. Cracks extend from the thistle at left to the helmet manteling and from the border to the left horse's tail. These deficiencies have only been observed on this piece.

Courteau 3b (*Fig. 23a,b*)



Fig. 23: Co. 3b a) obverse; b) reverse; c) die crack at 3:00; d) die crack at 11:00. Author's collection.

Metal: Copper Weight Range: 8.9 g. (1) Die Axis: Medalllic Mean Weight: 8.9 g

This piece was not recorded by Courteau. It is a flawed die state of Co. 3. Deterioration of the die is restricted to the obverse. Die cracks are apparent at 3:00 o'clock extending from the edge above the floral stop and E of HARBOUR GRACE and at 10:00 o'clock from the edge to the left upright of the letter H in RUTHERFORD. The flan is thick and weighs in the upper range observed for Co. 3 issues



Fig. 23: Co. 3b; c) (left) die crack at 3:00; d) (right) die crack at 11:00. Author's collection.

This is a significant piece in that it establishes a link between the early heavy issues from Harbour Grace and the thin flan light issues that follow. The same obverse die was used for Co. 3b and Co. 6. Co. 3b must have been produced before Co. 6 as the obverse die cracks on Co. 3b are less pronounced.

Courteau 4 (*Fig. 24a,b*)



Fig. 24: Co. 4 a) obverse; b) reverse; c) defect in field at 10:00; d) visor defect on reverse. Courtesy National Currency Collection, Bank of Canada Museum, NCC1966.160.144.

Metal: Copper Weight Range: 7.6 – 8.09 g. (5) Die Axis: Medalllic Mean Weight: 7.88 g.

This is a “fine wool” type of the sort epitomized by Co. 3 and is a companion piece to Co. 5 and 6. Distinguishing features as identified by Courteau consist of two defects on the reverse: there is a raised blob of metal at 10:00 o'clock in the left field between the manteling and the beaded border and another in the left corner of the visor. (*Fig. 24c,d*)

This is one of two pieces, the other being Co. 5, where Courteau observed that areas of the design had not been well struck. Affected areas consist of those parts of letters and numerals closest to the border and regular areas of shallow relief, including the forelegs of the horses and the engraver's initials. See Co. 5 for a discussion of this phenomenon.

All known pieces are struck in copper. The die axis is medalllic and pieces weigh from 7.6 to 8.09 grams. The token's light weight in comparison to Co. 3 suggests that it probably dates to the mid 1850s.

Courteau 5 (Fig. 25a,b)



Fig. 25: Co. 5 a) obverse; b) reverse; c) line in front of left supporter and crack from mantling to right martlet; d) line across ND. Courtesy National Currency Collection, Bank of Canada Museum, NCC1966.160.1442.

Metal: Copper Weight Range: 8.02 – 8.15 g. (3) Die Axis: Medallic Mean Weight: 8.06 g.

Courteau 5 is another example of a “fine wool” type. It has several imperfections that aid its identification. As described by Courteau, there is a raised line on the obverse across the ND of NEWFOUNDLAND. On the reverse, there is another raised vertical line in front of the left supporter and a small die crack from the bottom of the helmet to the right hand bird in the shield. (Fig. 25c,d) There also is a blob of metal in the mantling on either side of the visor. That on the right is more pronounced. The die axis is medallic and examples range from 8.02 to 8.15 grams.

The token has an overall weak impression such that design details on both obverse and reverse are not well defined. This probably stems from an attempt by the mint to reduce the cost of production by using thinner and lighter flans. At 1.6 mm in thickness, Co. 4 and Co. 5 are the thinnest Rutherford tokens. There would have been less metal available to fill the recesses of dies designed originally for heavier pieces. Co. 5’s use of a thin, lighter flan than Co. 3 suggests it is contemporary with Co. 4 and 6 and was probably issued in the mid 1850s.

Courteau gave Co. 4 and 5 a rarity factor of 4 and 5, respectively. The pieces are scarce. Although a few examples were observed for sale during this study, only a handful were available for examination among the collections consulted.

Courteau 6 (Fig. 26a,b)



Fig. 26: Co. 6 a) obverse. Note presence of two die cracks typical of Co. 6: b) reverse. Strong line in front of left supporter and die crack from mantling to martlet as on Co. 5. C. Faulkner Collection.

Metal: Copper Weight Range: 7.56 – 8.19 g. (3) Die Axis: Medallic Mean Weight: 7.95 g.

This piece is part of the lightweight, thin flan group of Rutherfords that include Co. 4 and Co. 5. The thickness of the flan at 1.66 mm is in the same range as that of Co. 4 and 5, but the

imperfect strike, characteristic of these numbers, is less obvious on this issue. Here, the lower half of the numerals in the date is not well struck up and the initials R H are indistinct.

Co. 6 is a later state of Co. 3b (see above) and likely the first of the thin flan issues. The obverse die cracks are more pronounced than on Co. 3b. The crack at 3:00 o'clock is wider and that at the H extends to the fleece. The reverse is the same as that of Co. 5, a fact that further links Co. 6 with the thin flan issues.

The die axis is medallic and three examples were observed in the course of this study. It was the scarcest of the pieces from Harbour Grace known to Courteau. He assigned it a rating of R. 7.

Courteau 7 (*Fig. 27a,b*)



Metal: Copper Weight Range: 6.7 – 7.612 g. (9) Die Axis: Medallic Mean Weight: 7.324 g.

The so-called “coarse wool” variety is distinguished by strands of wool resembling the number “25” at the top of the ram’s back to the right of the sling. (*Fig.27c*) This obverse closely resembles Co. 3 but for the modifications to the ram. The size and placement of the font is almost identical. The engraver appears in most instances to have used the same letter punches. Notable exceptions are the Rs, Bs, and Es.

This token was struck on thin flans measuring between 1.61 and 1.65 mm. It appears to have been designed to use less metal than dies employed for Co. 3-6 thereby making viable the thinner flans used for this type. Areas of the design like the sheep’s neck, legs, and hooves were simplified to reduce the metal needed to fill the design.⁴⁰ The wool at the ram’s neck, for instance, has been removed, bringing the large horn into direct contact with the field. As a result of these alterations, the entire reverse is well struck up. There is no evidence of flattening of the gorget and top of the shield as appears on all other Rutherford’s with a medallic orientation. By reducing the volume of metal needed to fill the obverse, there was ample material for the fine details of the reverse design. Areas along the edge, however, appear to have suffered. Beads generally are indistinct along one or two areas on opposing sides of the token.

Production errors also are evident on the reverse of most examples. There is an irregular incuse line in the field between the body and the foreleg of the left supporter. (*Fig.27d*)

⁴⁰As noted in current catalogues, the ram’s hooves are more slender than on other varieties from Harbour Grace.



Fig. 27: Co. 7 a) obverse; b) reverse; c) pattern of wool resembling “25”; d) irregular incuse line possibly caused by extraneous matter on the punch; e) die clash on reverse showing head and foreleg of ram from the obverse. Author’s collection.

This would appear to have been caused by the presence of extraneous matter on the punch when the die was sunk. Also, there is evidence of a die clash in the field to the right of the shield between the right supporter’s chest and foreleg. The lower part of the ram’s head and two forelegs are visible. (Fig.27e)

The axis is medallic, examples are struck in copper, and weigh between 7.05 and 7.4 grams. As the lightest of the Harbour Grace issues, it likely was the last variety struck for use in the late 1850s or early 1860s, possibly after the destructive fire of 1858. The condition in which pieces are found today supports this view. It is not unusual to find examples in EF or better, suggesting the issue saw limited circulation. Low grade, well used pieces seem to be a rarity.

Courteau 8 (Fig. 28a-d)



Fig. 28: Co. 8 a) obverse; b) reverse; c) double punched letters; d) double punched floral stop. Courtesy of National Currency Collection, Bank of Canada Museum NCC1964.43.441.

Metal: Copper Weight Range: 7.9 – 8.24 g. (12) Die Axis: Medallic Mean Weight: 8.046 g.

This is the first of two varieties of the so-called “stella” token, named after the star-like five-petal floral stops appearing between the obverse legends. As observed by previous cataloguers, although modelled after earlier Rutherford tokens, the obverse design is completely new. The lettering is larger and more closely spaced and the floral hanger from which the ram is suspended appears above the ribbon. The most notable feature of this new design is the newly

engraved ram. Its neck is longer, such that the head is lower and opposite the H of HARBOUR GRACE. The tail begins higher up on the ram's back and only extends as far as the E of HARBOUR GRACE. The wool is made up of larger and fewer swirls. Details of the ram's head are not well defined and appear flat even on high grade examples.

There is a notable progression in the deterioration and upkeep of the die. The A and R of HARBOUR GRACE and the E of NEWFOUNDLAND appear double punched. (*Fig.28 c,d*) Most examples exhibit a die crack at 9:00 o'clock on the obverse extending from the rim to the floral stop. This piece is struck in copper and has a medallion die axis. There is no or little detail in the gorget and a general flattening of detail at the top of the shield owing to the placement of the ram on the obverse. Identifying marks on the reverse include raised diagonal lines: the first, to the immediate right of the mermaid's tail; the second rises upward and to the right of MARE in the motto.

It is the heaviest token in this group. Examples weighing between 7.9 and 8.24 grams have been observed. This weight range suggest it is contemporary with Co. 4, 5, and 6, putting its issue sometime after Co. 3 in the mid 1850s. This time period and the different design suggest it might have been prepared for use at the newly opened branch in St. John's.

Courteau 8a (*Fig. 29a-e*)



Fig. 29: Co. 8a a) obverse; b) reverse; c) double punched letters BROS.; die crack between the O and S; d) double punched floral stop at right; e) double punched letters DLAND; f) weakness across lower shield and three dots in inner shield. Courtesy of National Currency Collection, Bank of Canada Museum NCC1966.160.1444.

Metal: Copper Weight Range: 7.3 – 7.9 g. (9) Die Axis: Coinage Mean Weight: 7.57 g.

The second stella variety has a coinage orientation and is lighter than Co. 8. Pieces observed range between 7.3 and 7.9 grams. The obverse die of Co. 8 was reused to strike these pieces. A stronger version of the same die crack is present as are the double punched letters A, R and E.

Later states of this token exhibit additional cracks on the obverse at 2 o'clock, between the O and S of BROS., and at 4 o'clock from the border past the C of HARBOUR GRACE and across the space beneath the fleece. (Fig. 29c) Additionally, the right hand floral stop is double punched as is some text on the right, ranging from a few letters to most of the legend.(Fig. 29d,e)



Fig. 29f

On the reverse, the lines of the shield are well defined and the gorget is heavily detailed. The lower shield is somewhat flattened due to the placement of the ram on the obverse. Typically, there is one dot left of centre in the inner shield. One example in the National Currency Collection even has three dots in a horizontal line.⁴¹ (Fig. 29f) Raised lines near the mermaid's tail and the A of MARE are visible; additionally, there is now a small die crack extending to the left from the neck of the helmet. Given its light weight and rather advanced die deterioration, Co. 8a probably was the last issue of this design.

Varia Proofs

Early cataloguers cited the existence of proof strikings of Rutherford tokens. Batty (1898) listed two examples: No. 1607, apparently a Co. 2 in brass; and No. 1613, a Co. 3 or 7 on a "thick blank." This may be the same piece offered by Baker in 1994. It was described as a specimen of Co. 7 on a thick flan of 12.02 grams.⁴² A proof of one 1846 variety was included in lot 458 of the Murdoch sale in 1902. Another was in the second day of the W.W.C. Wilson sale (lot 616) of 1925. A similar proof has been reported in Raymond's price lists of 1928, 1942, and in his mail bid sale of November 5, 1946 (lot 538). It is unknown where any of these pieces reside today. One possible example surfaced in recent years. In April 2018, Heritage auctioned rarities from the Doug Robins collection. Lot 28196 was a red-brown Co. 3 slabbed by NGC and called SP65. The cataloguer however wrote that he was "open to the possibility that it is simply a spectacularly-preserved business strike from fresh dies." Despite the many rarities in their collections, neither Ford (2013), Hughes (1995), nor McKay-Clements (1976) had a Rutherford in proof. Even the National Currency Collection at the Bank of Canada does not have a proof example of any Rutherford token. If proofs exist they are excessively rare.

Counterfeits

Rowe (1967: 513) wrote that Rutherford tokens had been counterfeited. Yet, few spurious copies can be traced today. Batty (1898) lists five cast examples in his collection. From his descriptions it appears that these were copies of Co. 1, 3, 6, and 8. C. Faulkner (2017) lists a copper cast of Co. 3 that appeared in the W. Baker catalogue of the M. Oppenheim blacksmith

⁴¹ As this may be a single, random occurrence, this token has not been given a separate identification number.

⁴² From correspondence with Chris Faulkner 2019.

collection.⁴³ The question though is to what extent were Rutherford tokens actually counterfeited. It appears that these pieces were not so widely counterfeited as earlier writers have indicated. In preparing this study, only the one “authentic” cast counterfeit noted above was encountered. So-called counterfeits offered for sale often turn out to be genuine Rutherfords which have suffered severe abuse or been subjected to the detrimental effects of prolonged burial which understandably caused pitting and corrosion distorting the original design.⁴⁴

Counterstamped Rutherfords

Rutherford tokens have been repurposed for use as personal cards or advertising pieces. Generally, these have nothing to do with the Rutherfords’ businesses. The one exception however may be Rutherford tokens overstruck with a large numeral “2”. (*Fig. 30*)



The mark appears in the centre of the obverse over the hanging fleece. The numeral is well made and applied with some precision, which would suggest that it was applied for some intentional reason. No documentation has been located detailing its origin.

Fig. 30: Rutherford token (Co. 8) counterstamped with the numeral “2”. Courtesy of National Currency Collection, Bank of Canada Museum, NCC1966.160.1447.

The earliest reference to this mark appears in Rowe’s 1983 study of Newfoundland currency where an example is illustrated but not discussed. Collectors anecdotally suggest that the mark was applied after the province adopted decimalization and that the “2” indicated that the piece was worth two cents. They usually cite the petition of 1862 calling on the government to adopt a stamp for use on tokens of acceptable character.

The evidence would suggest that the government did not counterstamp Rutherford tokens for general circulation. The Governor made it clear in his response to the petition that the government could take no action with regard to improving the lot of the province’s copper currency. What is more, in converting to the decimal system beginning in January 1865, the Newfoundland government redeemed tokens at half their face value, in other words, ½ a cent for each halfpenny. Perhaps the government used the tokens for a more limited purpose. The Postmaster General’s report of December 1863 contains a suggestion that £100 in ½ and 1d pieces be made available to the Post Office to be stamped for use by the public as a means of prepaying postage fees. It is unknown whether any coppers, including Rutherford tokens, were put to this use. In 1865, newspapers could be sent within St. John’s for two cents.

Another plausible explanation is that a private firm counterstamped pieces for some use of limited duration, which would account for the rarity of examples today. The most likely contender given the known undertypes would be Rutherford Brothers. The mark has been observed on tokens from both St. John’s and Harbour Grace. These include Co. 2, 3 and 8. If the government or any other firm had produced the mark, it likely would be found on other various tokens from British North America which circulated in Newfoundland during this period. One

⁴³ This piece is larger and heavier than the above: diameter, 28.1 – 28.89 mm; thickness, 1.35 – 1.55 mm; 6.95 grams.

⁴⁴ The National Currency Collection at the Bank of Canada has an acid washed example of Co. 3. The piece understandably is smaller, thinner, and lighter than its original model. Measurements are: 18.7 mm diameter; 1.2 – 1.3 mm thickness; 5.39 grams.

other token has been reported to date with the same counterstamp.⁴⁵ Unfortunately, the author has not been able to confirm its existence. Rutherfords would have had a quantity of their tokens on hand on the eve of decimalization, pieces that they, as the importers, would not have been able to exchange for decimal coins under the government's redemption program.⁴⁶ Being good businessmen, they surely would have looked to make some use out of this essentially dead stock.

Why would Rutherford Brothers have used this device? The answer in part may be found in the anecdotal explanation noted above. From 1862 to 1865, the years immediately preceding the adoption of the decimal system in Newfoundland, there was confusion over the value at which the government intended to exchange new coin for old. In advance of the eventual exchange, the banks, post office, and some merchants began accepting tokens at half their face value, in other words as a farthing.

The editor of the *Harbour Grace Standard* (April 29, 1863: 2) described the local situation.

Quite an excitement is going on at this time in our town in consequence of the refusal of the shopkeepers to take copper coin at their former value; they have come to the conclusion to take them at half their value. We hope that government will soon call in the present coin and issue something more respectable.

People understandably were upset. Newspaper editorials decried the loss and blamed the government. Under the pseudonym "Enquirer," one person wrote to the *Harbour Grace Standard* (April 29, 1863: 2):

Mr Editor, - Who makes the laws? Four halfpennys for a penny – who makes the laws? Where is the authority for a proceeding like this by which so much loss is counted: Two halfpennys for a time passed as a penny – when lo! Suddenly we are told that they won't do so any longer. Verily it is time for the government to look into this matter and to adopt such a method as to obviate the evil which turns the whole system of change upside down.

Another letter writer, "Rescindo," noted that the problem was not restricted to tokens (*Harbour Grace Standard*, September 2, 1863: 2):

Sir – Our Copper Currency at present is certainly in a very bad way, in fact decidedly sick and in immediate requirement of a prompt and vigorous application of some healing remedy.... A person in business here lately imported a quantity of the new Bronze Coinage, and found that what was worth a penny sterling in England is worth only halfpenny currency here....

⁴⁵ Graham (1988: 31) notes that this mark has appeared on Breton 919.

⁴⁶ Redemption was geared toward those who held and used the tokens. The party redeeming tokens had to sign an affidavit that they had not imported the pieces. Presumably, as of January 2, 1865, when redemption began, importers such as the Rutherfords would have been left with unissued stock.

“Rescindo” is referring to the new British farthings, pence, and halfpence struck in bronze beginning in 1860. These replaced the previous copper pieces. He also draws attention to the different values at which money could be taken in Newfoundland: currency or sterling.

In April 1863, Rutherford Brothers placed an ad in the Harbour Grace *Standard* giving notice that it would accept its own halfpenny tokens at “full value,” in other words, at a halfpenny or two farthings. One might argue that there would have been no need for Rutherford’s to stamp their own pieces. Perhaps they used the counterstamp in the period from April 1863 to January 1865 as a local measure in concert with their newspaper ad to assure their Harbour Grace clientele that Rutherford tokens could be used at full value (2 farthings) and, more importantly given the poor economy of the 1860s, that the firm was sound.

It is unlikely that counterstamped pieces were issued after 1865 as a general monetary substitute since the 1863 Act for the Regulation of Currency governing decimalization dictated that “no other Copper or Bronze coins, other than British Sterling Pence and Half Pence of Bronze, shall pass Current in this Colony.” That does not, however, preclude their continued use in a limited context redeemable in goods or services by their issuer. The mystery of the counterstamped “2” remains to be solved. “Rams” also served as an advertising medium for other private firms. Such marks demonstrate the wide extent to which Rutherford tokens, among others, circulated in the mid-19th century. Known countermarks include those of Montreal druggists Devins & Bolton, and the barber or baker François Declos in Trinidad. (Fig. 31)



Known countermarks include those of Montreal druggists Devins & Bolton, and the barber or baker François Declos in Trinidad. (Fig. 31)

Fig. 31: Montreal druggist Devins & Bolton counterstamp on a Rutherford token (Co. 2). Lorne Barnes collection 150.952.

Devins & Bolton countermarks date to the 1860s and have been observed on Co. 1, 2, and 3. Other parties whose identity has yet to be established countermarked pieces with “Rouleau,” “C. Broad,” and the incomplete mark “..amies / ...erdt....,” thought to represent a party named Jamieson.⁴⁷ (Fig. 32a,b)



Fig. 32: Other counterstamps on Rutherford tokens a) (Co. 2) “Rouleau” NCC1968.269.12; b) (Co. 3) JD, NCC1972.26.41; Courtesy of National Currency Collection, Bank of Canada Museum.

Postscript and Acknowledgements

In 1884, James H. Rutherford, a bookseller in Kelso, Scotland, published a history of the Rutherford family. By modern standards it is a ponderous tome filled with a litany of marriages and deaths over several centuries. As the subjects share a common surname and have similar given names, the work can be confusing. Rutherford published a supplement in his 83rd year in 1903, noting that if death did not take him away he would assemble additional family material.

⁴⁷ See Baker 2006: 11, 28-29, 48, and 73, for a discussion of these marks. Also, see Pridmore: 1965: 220-226; and Chamberland (2018) for a discussion of François Declos as a baker.

Prospective updates included a history of the Rutherfords of Newfoundland and a look at their “coins.” Unfortunately, it seems Rutherford did not live to publish this work.

Even so, we are fortunate to have at hand several good resources. The Centre for Newfoundland Studies at Memorial University in St. John’s hosts a large volume of scanned material about Newfoundland on their website and regularly posts updates. Content includes period newspapers, court records, directories, census information, etc., all of which has been useful in the preparation of this paper. Other helpful sources include Google newspapers and books with thousands of references; JSTOR, home to hundreds of journals containing thousands of scholarly papers; and the Internet Archive, a digital repository of over one million references on a multitude of subjects. If you are looking for an esoteric publication of limited circulation that has been long out of print, chances are it has been uploaded to this site.

As a researcher, my job is something of a treasure hunt, searching for clues squirreled away among a myriad of objects, images, and thousands of pages of printed and handwritten text. Then, having found something of merit, I assemble these diverse bits of information into a coherent, intelligible and interesting story. Of course, any errors of interpretation rest solely with the author. Hopefully, they are few and far between.

I would especially like to thank David Bergeron, Gord Carter, and the staff of the National Currency Collection at the Bank of Canada for making their library and fine collection of tokens available for research and for providing many of the wonderful images that accompany this work. No less important was the help of Sara Bellefleur Bondu and David Portilla at Library and Archives Canada, who arranged my access to the R.G. Dun Collection of credit assessments of Canadian businesses. This was most useful in enhancing my understanding of some events and in fleshing out areas of the narrative that would otherwise have been thin. Thanks also are due to Roger Paulen of Geological Survey who conducted the XRF analysis of the Rutherford tokens. Finally, I would like to express my deepest appreciation to the many collectors who made available their time, suggestions and, in several instances, their collections, providing this study with samples so that some measure of accuracy could be established in determining the tokens’ average specifications. They include Chris Faulkner, Lorne Barnes, Bill Kamb, Eric Leighton, and Bob Graham. Thanks to their assistance, this work is so much more than it would otherwise have been.

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Edward Henry Berge (1876–1924) American Sculptor

By Barrie Renwick FCNRS, FRCNA

Ed Berge (Burg'ee) born a Baltimorean, grew up surrounded by stone sculpture. His father, Henry, was a master stone carver, an immigrant to Baltimore, Maryland, where he continued his craft. Ed's father had married after arrival, acquired a property on the fringe of the city near its cemetery where he built a duplex house. He and wife Mary raised their two children, Rosa and Edward, in one of its units; in the other Henry had his office and the showroom for his business: making stone monuments, cemetery headstones, and sculpted ornamentation for masonry buildings. The large lot behind the units served for work space and stone storage. Family lore suggests that while Ed was a schoolboy he caught the sculpture bug through doing his assigned chore of polishing angels on tombstones his father made.

Ed had more than the bug; he had the talent too, and his desire grew to hone that. To start, he took lessons at the Charcoal Club and then began study at The Maryland Institute College of Art, Baltimore, where he won two prizes for his work. Those wins and his evident skill bolstered his acceptance into the inaugural class at Rinehart School of Sculpture the newly established Baltimore institute exclusively for sculpture students with exceptional ability. At Rinehart he won more prizes. After graduating there in 1899, Ed and two brotherly classmates headed to Paris, France, for study and practical training. The three enrolled in *Académie Julien*. Ed studied there, until 1901, under the master artists Charles Raoul Verlet and Auguste Rodin. While there, Ed entered a sculpted piece in a *Salon de Paris* exhibition; it won him The Clark Prize for an exhibit by an American artist. In 1901 he returned to Baltimore where he with one of his brotherly companions shared an atelier while shaping their careers.

Initially Berge worked mainly in marble sculpture and in bronze figurines. He won commissions for sculpted historical monuments in Maryland State and in Baltimore City. His success with these monuments attracted more commissions, some historical others for works of social expression to embellish public spaces. Eight or more of these types of Ed's pieces endure in Baltimore still much cherished by its citizenry and promoted to tourists as must-see attractions. His early bronze figurines included a series of garden fountains; one might be a naked elfin child wearing an outsized flower inverted as a hat or the next, a different child poised fondly caring for a creature, like a rabbit, duck or goose. These bronzes became fashionable as garden ornamentation.

By 1907 Ed Berge had established himself as a successful artist and also as an academic; he was a Night School Instructor in the Free Hand Division of the art program at the Maryland Institute. That may have helped finance his next undertaking. For some time he had been courting Miss Lillian Stephens of Baltimore, a Director at the Maryland Institute. In July 1907 they eloped to Washington and were married by a Reverend, in a chapel. Later in the day, they returned to Baltimore to celebrate with friends.

Ed Berge's career blossomed from public praise of his works and it shone from his success in winning prize medals for his exhibits at World Fairs: Buffalo 1901, St. Louis 1904, Santiago, Chile, 1910 and San Francisco 1915. These achievements also drew public attention to Baltimore as having a presence for art. Other of Ed's entries drew interest at important art events such as

the Concord Art Association 1922 and the National Sculpture Society 1923. One example of his marble statuary, *Muse Finding the Head of Orpheus*, continues still to be among the most admired. Ed also did a number of bronze relief portrait plaques of adult subjects and of children. In some well-to-do families of the time plaques of their kin were favoured over photographs. Berge was especially skilled in child portraiture; he also enjoyed having children as subjects of his figurines. These figurines often included elements of whimsy. The all-time favourite is the enduring *Wildflower*. ➡



Although Ed made a number of plaques considered as numismatic items, he made only one medal: *The Hochschild Kohn 25th Anniversary Medal 1922*



The Hochschild Kohn 25th Anniversary Medal 1922

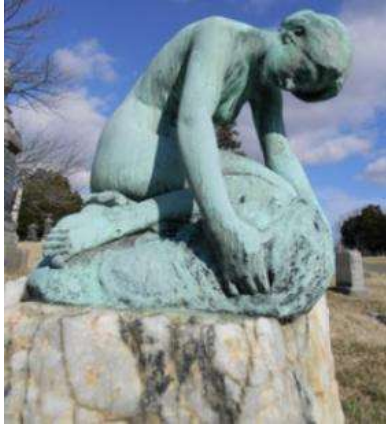
Of his person, Berge recorded being 5 ft 7 inches in stature with dark brown hair, brown eyes and an oval face. Pictures suggest a good looking man of medium build. Of his personality, many report that he was engaging. Contemporary articles by magazine writers and newspaper journalists offer that Ed was always pleasant, forthcoming and interesting during an interview. Ed's plaque *To My Friend Jack Lambdin* appears to confirm a bonded relationship with that member of the press: Jack Lambdin was a reporter and the resident art critic at the *Baltimore Sun Newspaper*. The extensive number of clients for Ed's works also suggests many of them had an easy relationship with the artist. Among his peers, he was a respected member of the National Sculpture Society, the Charcoal Club, and the National Arts Club.



Jack Lambdin plaque

We see Edward Berge as a placid individual somewhat influenced by his semi-rural childhood. We know he preferred Baltimorean life: he rarely left the city he loved, and he adamantly disliked travel. We're told he took pleasure in fishing as a pastime, an activity that allowed him to reflect on his "ideals" as he called his inspirations for projects. In 1924, we presume one of Ed's ideals was to exhibit at the forthcoming *Exposition Internationale des Arts Décoratifs* World Fair, Paris, 1925. That never happened: Edward Berge died of a heart attack October 12, 1924, aged 48.

Ed's early death left Lily as authority for their twin sons, Henry and Stephens 19, and Paul 8. Though the art community felt the sense of losing all what might have been, it treasured the reality of all it had gained. Berge's output had been fulsome. To acknowledge the man who had given cultural pleasure to society in his city, his state and to art enthusiasts across his nation, the Baltimore Museum of Art presented its Memorial Exhibition of Sculpture of Edward Berge to the public, in 1925. The Museum added to its holdings a mass of pieces borrowed from collectors, art galleries and public institutions. These formed the display. The catalogue list shows 65 items and cites about a dozen more, most being monuments in distant locations.



The Edward Berge cemetery plot at Lorraine Park Cemetery, Baltimore

Edward Berge lies in Lorraine Park Cemetery just beyond Baltimore. A bronze copy of his *Muse* statue on a stone plinth identifies the family plot. Of Ed's art, his many bronze figurines were and remain eagerly sought by collectors. Lily began to have limited numbers cast on different occasions and sold gradually into the market. These are authentic ongoing original pieces. Their production ended in the 1980s.

Berge had cautioned his maturing twin sons not to become artists because that could make earning a living difficult. After Ed's death, both sons dismissed that advice; each studied and eventually gained listed status—Henry as a sculptor and Stephens as a painter.

One unusual commission for son Henry in 1961 was to create a large-size version of his father's *Sea Urchin* to replace Ed's original that had stood decades as public art in central Baltimore. Ed's piece was much loved by citizens but constantly criticized by art experts as being too small. It was just 42 inches high; critics ruled it out of scale in its plaza setting. A private donor funded the project. The city gifted Ed's original to Johns Hopkins University for permanent display. Henry's replica delighted the citizens. For Henry he had metaphorically polished the angels his own father had made.

Edward Berge Gallery



Edward Berge 1908



Madeleine



Howard Hubbard
1922



Madeleine and Gary Black



Van Lear Black
6 x 7.25 inches



**William B Graves
160mm**



Helene



Happy Hills 87mm

Information Sources:

Catalogue of the One Hundred and Twelfth Annual Exhibition of the Pennsylvania Academy of the Fine Arts 1917 by the Academy

Catalogue of the One Hundred and Fifteenth Annual Exhibition of the Pennsylvania Academy of the Fine Arts 1920 by the Academy

Dictionary of American Sculptors by Glenn B. Opitz

Edward Berge the Sculptor by Stephens Berge 1983

Exhibition of American Sculpture Catalogue 1923 by the National Sculpture Society

Memorial Exhibition of Sculpture by Edward Berge by the Baltimore Museum of Art 1925

The Baltimore Sun Newspaper issues for July 1907

Afterword

The Canadian Numismatic Research Society is pleased to submit to you this collection of articles prepared by some of the active Fellows of the CNRS. As witnessed by the In Memoriam section at the beginning of this volume we are losing some of our finest researchers and writers. It is only fitting that their passing be recorded by our Society within these pages.

As in years past a copy of the *Transactions* is donated to several organizations and institutions. If anyone knows of any museum or archive that could benefit from having a copy in their library please contact me with any relevant information about the establishment.

If you are considering submitting an article to the *Transactions* in the future please read A Guide For Contributors found on page 65 in this volume. This guide is very significant for the author as well as the committee that proofs, edits and prepares this publication. Anyone needing clarification of anything within the Guide please contact me for further explanation. Thank you in advance for this important consideration.

I would like to acknowledge our contributing authors for their hard work and dedication. I am grateful to each one for their commitment to share their discoveries with the numismatic world. Special thanks to Chris Faulkner for his continuing commitment and the many hours of his time spent proofreading the *Transactions*.

On behalf of the Canadian Numismatic Research Society it is my hope that you get a lot of reading pleasure from *Transactions 2020*. As always, if you have any thoughts, opinions, or comments you wish to share about our journal please feel free to contact me at sdouglas333@gmail.com at any time. Enjoy!

Sincerely
Scott E. Douglas

Guide for Contributors

The *Transactions of the Canadian Numismatic Research Society* is intended to be a venue for longer articles of original research which may be unsuitable for publication in magazines like *The CN Journal* or periodicals like *Numismatica Canada*. Articles from Fellows of the CNRS on any aspect of numismatics in Canada are welcome. Contributors are encouraged to adhere to the following guidelines.

1. Submissions should be in MS Word, Times New Roman, 12-pt.
2. Single-spacing is acceptable, including between paragraphs. The first line of each paragraph should be indented.
3. Quoted material longer than seven or eight lines should be double-indented ½ inch from the left and right margins and separated by a space from the body of the text before and after it. It should not be enclosed by the addition of quotation marks or be italicized. All quoted material should be quoted with absolute fidelity, including any use of quotation marks, italics, capitals, spelling, punctuation, etc., as in the original.
4. For reasons of copyright and research ethics, the source of all quotations, paraphrased material, and borrowed ideas must be acknowledged accurately.
5. The preferred style for acknowledging source material is to embed the reference in the body of the text, preferably at the end of sentences or paragraphs, with the author's surname, the date of publication, and the page number, as follows (Breton 1894: 47). This reduces the proliferation of footnotes.
6. Footnotes should be reserved for expository material of a supplemental or explanatory nature. Avoid endnotes.
7. The bibliography, arranged alphabetically by author, should include all works cited in the text of the article, in the following style: Breton, P.N. 1894. *Illustrated History of Coins and Tokens Relating to Canada*. Montreal: P.N. Breton & Co.
8. Illustrations should be submitted with the article along with the desired captions.
9. All illustrations must be cleared of copyright and, where applicable, permission granted for reproduction.
10. Submissions will be reviewed and returned to the author for response, with corrections, suggestions, and comments in the track changes feature of MS Word.
11. Please do not number the pages of your work.
12. Please submit your images separately from your text. Indicate where you would like them to go and we will include them.