

# SPENCER RIFLE EPILOGUE: OUT OF THE MUD

by Donald B. Webster

Telegraph messages went back and forth between Toronto and the Niagara Frontier for weeks in April and May of 1866. Finally, on May 31, came the dreaded message. An irregular army of the Fenian Brotherhood, to strike a blow at Britain toward the goal of an independent Ireland, as long expected had finally crossed the Niagara River and invaded Canada West. [1]

The orders went out. At four in the morning of June 1, 1866, 480 men of the Queen's Own Rifles under Major Charles Gilmor assembled in the Drill Shed on West Market Street. Before dawn the regiment marched a block west along the Esplanade, and embarked on the *City of Toronto* sidewheel steamer across Lake Ontario to Port Dalhousie. A train awaited, and the troops were in Port Colbourne by noon. [2]

Already on board the *City of Toronto*, separately loaded during the night, were several cases of new Spencer breech-loading 7-shot repeating rifles. As the regiment crossed the lake, Colonel Gillmore issued the Spencers to No. 5 Company of the regiment, to replace their muzzle-loading and single-shot British Enfield rifle-muskets.

As Sergeant Andrew McIntosh, a member of No. 5 Company, wrote years later, [3]

... our company, No. 5, had their English rifles taken from them while crossing the lake and the Spencer seven shooter Repeating rifles given in exchange, and with only twenty-eight rounds of ammunition for each man, and no more to get. I think it was a great mistake. We knew our Enfield rifles but knew nothing about the others, and a very poor thing they turned out to be at any distance over 200 yards.

Spencer rifles and carbines had been at the height of small arms technology during the American Civil War, fought largely with muzzle-loaders. Because of design limitations in a period of very rapid development, however, the Spencer was already obsolescent by 1865. [4]

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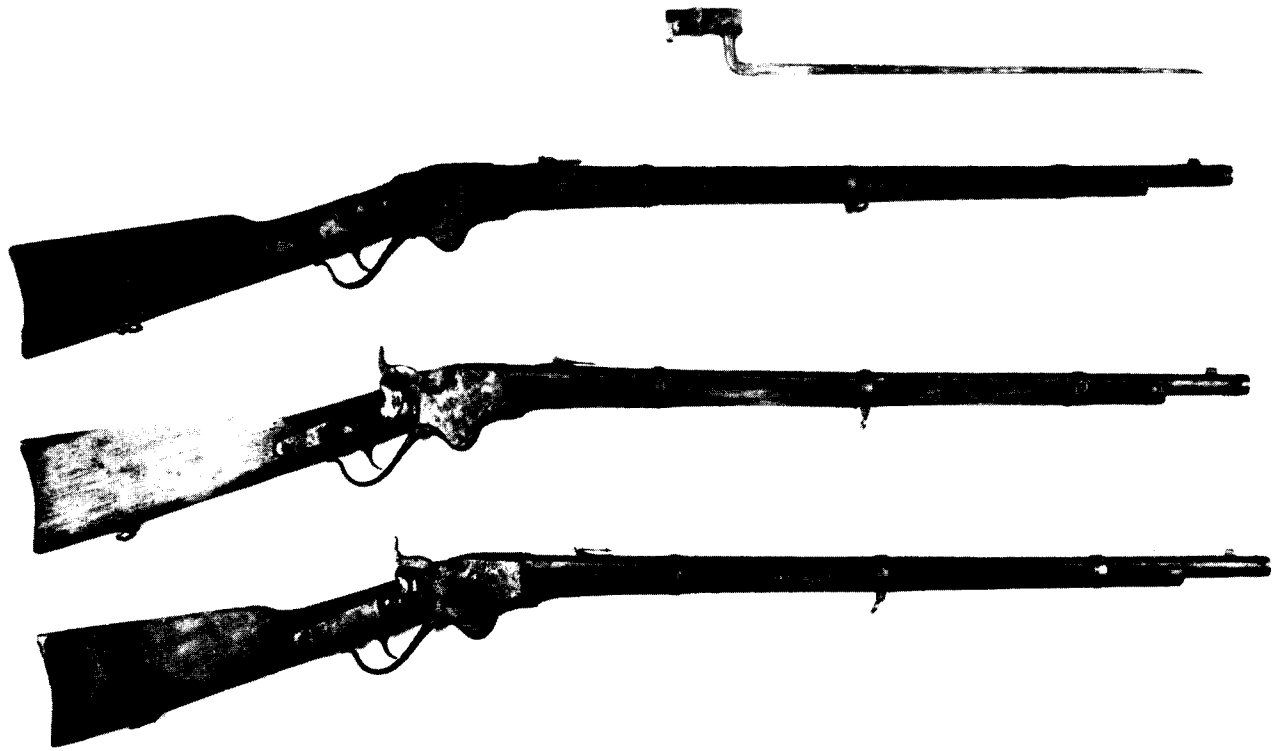
Almost exactly 120 years later, on May 22 last, the writer had an out-of-the-blue phone call, a call which started one of those small adventures that keep the museum business interesting. The stage manager at the O'Keefe Center reported watching some heavy equipment operators dig up "a case of old rifles and bayonets" from a construction excavation on the south side of the Esplanade, across the Scott Street intersection southeast from the rear of the O'Keefe Center. As he watched, the workmen were hastily stashing the rifles away in their cars. I called Carl Benn, Curator of Fort York for the Toronto Historical Board. Stopping only to grab a camera, he, Michael McClelland, and R.V. Styrmo left for the site.

As I saw the excavation later that same afternoon, the digging had exposed some huge log cribs of the mid-19th century Toronto waterfront, cribs of the Browne's and Maitland's wharves of the 1850's and '60's. [5] From the excavation, some 25 feet deep, the walls of thick squared pine logs, interlocked at the corners, rose from below original water level to nearly the present street level. The structures were, I must say, an awesome sight, as were the power shovels and bulldozers busily demolishing them all. The rifles by then had vanished.

Michael McClelland from the Toronto Historical Board had earlier managed to photograph one of the rifles. It was *not* a British muzzle-loading Enfield, the standard arm of Canadian regiments of the early 1860's, but a *Spencer repeating rifle*.

The Government of Canada had decided to try the latest equipment. The Civil War had ended in April, 1865, leaving millions of surplus arms in storage. Wartime northern contractors and manufacturers were hungry for new orders, which were not forthcoming just then from the U.S. War Department.

By Order in Council on March 12, 1866, the Government of Canada ordered 300 new Spencer repeating



1. Three of the case of Spencer M.1865 rifles, as excavated, were badly pitted and corroded. The hammer is rusted away on the top example, and the right walls of the receivers are partly rusted through on all three rifles. Though reasonably well preserved, the wood of stocks was impregnated with black harbor silt.

rifles and 30,000 cartridges, for distribution to "select marksmen." [6] No. 5 Company of the Queen's Own Rifles, about 40 men under Captain John Edwards, at the last minute were included in the new issue. [7] The rest of those 300 Spencer rifles were distributed on trial to at least six other regiments. [8]

The 300 Spencer rifles bought by Canada in 1866 were all Model 1865, of which only some 3,000 were ever produced. [9] Canadian purchases came through Morland, Watson & Company of Montreal, the Canadian agents for the Spencer Repeating Rifle Co. of Boston, Massachusetts. [10] The rifles were all new, not U.S. military surplus. Morland, Watson had also shipped the rifles by rail, for the last Montreal — Toronto segment of the Grand Trunk Railroad had been completed in 1856. [11]

The Queen's Own Rifles and other units called out left Port Colbourne by train for Ridgeway, near Fort Erie, at 5 a.m. on June 2, 1866. As volunteer militia with no field experience, they faced some 1,200-1,500 Fenians, most war-hardened Irish-American veterans of the American Civil War. The Fenians were in position and waiting. [12]

The find of the Spencer rifles in the construction excavation made the Toronto CFTO-Channel 9 news on

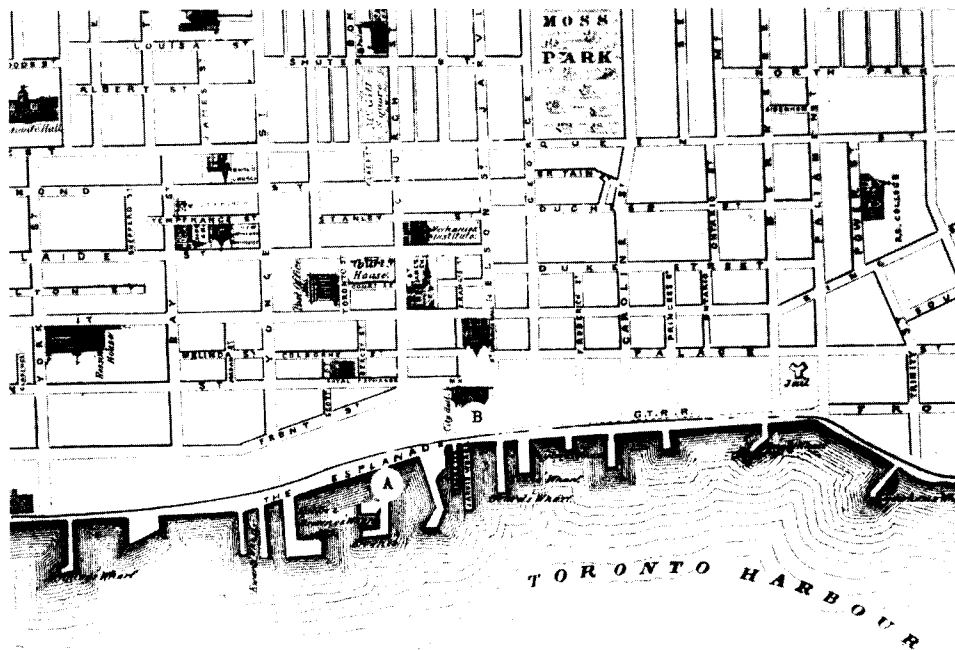
May 23, 1986, and led to articles in both the *Globe and Mail* and the *Toronto Star* on May 27. [13] The articles generated later letters in the *Star*. Meanwhile I began a series of direct phone and letter contacts with the developers, in an attempt to have at least *some* of the excavated rifles returned.

The Battle of Ridgeway began on contact with the Fenian positions before 8 a.m. on June 2, 1866. No. 5 Company of the Queen's Own, the only unit armed even with breech-loaders, much less repeating rifles, was assigned the point or advance guard position. They had, however, been issued ammunition as if they were still equipped with muzzle-loaders. [14] In sustained battlefield firing, even including magazine reloading, their 28 rounds each were good for less than five minutes. [15]

Losing several wounded or captured, and one man, Ensign Malcolm McEachren, killed, No. 5 Company quickly ran out of .50 caliber rimfire ammunition for their Spencers and had to pull back. [16]

The wooden case containing the excavated Spencer rifles, splintered by a power shovel, was lost to landfill. That case was potentially a more valuable discovery than the rifles themselves. Infra-red photography is very successful at adding contrast to otherwise undecipherable early markings on wood, and the case markings might well have indicated the shipping origin, consignee, and date.

We do not presently, in fact, even know how many rifles the case actually held. At roughly ten pounds per



2. On this section of a map of Toronto (1858), the rifles were found at the site of Browne's Wharf (A), just south of the Esplanade, while the Drill Shed was located at (B), on the site of the south end of the St. Lawrence Market.

rifle, plus accoutrements and the case itself, eight, ten, or twelve per-case was the standard, the maximum lifting weight for two men.

On June 2, 1986, ten days after their discovery, three of the rifles were finally brought back by excavation workmen and turned over to the Toronto Historical Board. The THB, as pre-arranged, brought them immediately to the Royal Ontario Museum Conservation Department, where they were put into a closed chamber at 60% RH to stabilize them. A single bayonet, of probably one for each rifle in the case, I recovered separately.

In spite of No. 5 Company's Spencer rifles, the Battle of Ridgeway was a disaster. The Canadian militia regiments, outnumbered by the battle-hardened Fenians and confused by conflicting orders, made a good showing but were forced to retreat. The Fenians at first advanced, but on receiving word of Canadian reinforcements arriving, retreated as well, back to Fort Erie and the Niagara River.

In the afternoon came the Battle of Fort Erie, hours of sporadic street fighting ended only by the final coming of darkness. The Queen's Own was not involved. The main Fenian force then recrossed the Niagara River during that night of June 2-3, and the two day invasion was over. [17]

The three Spencer rifles out of the mud were corroded and rust pitted, but in better condition than we would have expected. The walnut of the butt and forestocks, though completely water saturated, was sound and with little rot. Original heavy packing grease had certainly aided preservation. The rifles as well had been totally immersed, without exposure to free oxygen to promote bacteriological decay. The wood of the rifles thus required only slow and careful drying, by gradually reducing the original 60% RH atmosphere.

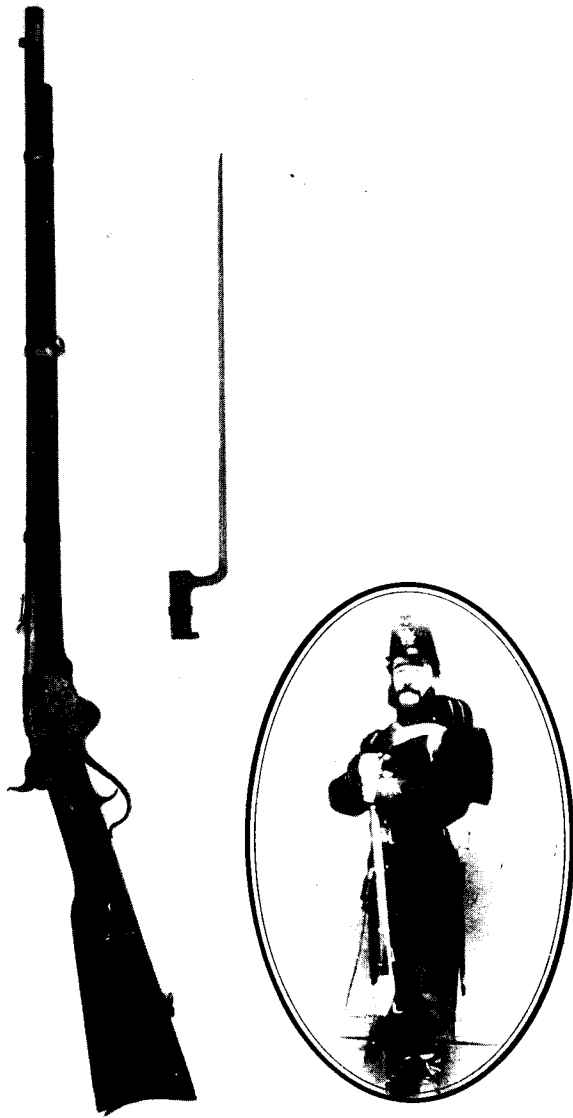
Carol Baum of the R.O.M. Canadian Decorative Arts department started conservation in July. Working with dental picks, she first flaked away corrosion scale and cleaned rust pitting. The metal of the rifles, including locks and actions, was then saturated with G-96, a new solvent that is inert to wood and which totally penetrates and stops further corrosion. The wood was finally impregnated with tung oil.

After a month the rifles were partially disassembled. Internal corrosion prevented complete disassembly without damage to vital internal parts, and the magazine tubes running through the buttstocks prevented separation of that portion of wood from metal.

Some prime questions remained unanswered. How and when did a case of Spencer rifles, however many rifles the case held, come to be dropped, (or pushed?), off a Toronto wharf in 1866 or 1867? The case clearly was part of a cargo, and the inclusion of bayonets certainly indicates a military rather than commercial shipment. The Spencer, in any event, at that time was strictly a military weapon, and the U.S. government was not yet selling off surplus stores.

In 1866 the Grand Trunk Railroad ran along the Esplanade, which in turn was lined with wharves on the south side. If the case was *accidentally* dropped over the side, *why* was it not hauled out immediately? If it was pushed off deliberately, with the intent of dark-of-night recovery and theft, again *why* was it never recovered? Was the exact location perhaps mis-estimated or forgotten before the opportunity arose?

The core question comes down to whether these particular rifles were actually part of the 1866 issue, intended for No. 5 Company of the Queen's Own Rifles, but which never got to Ridgeway. Was the case in fact accidentally dropped off Browne's wharf on the night of



3. As finally cleaned, the metal and wood of the excavated Spencers was stabilized, though the rifles could not be restored to operative condition. The bayonet is identical to the M.1861-63 Springfield type, though with a slightly smaller socket. The bayonet is unmarked.

4. In a photograph of 1866-67, this soldier of the Queen's Own Rifles is equipped with a Spencer rifle as well as its bayonet in a leather brass-tipped belt scabbard.

May 31-June 1, 1866, during transfer from a railroad car or the Market Street Drill Shed, for night-time loading onto the *City of Toronto* steamer?

That scenario is certainly the most plausible. History, however, is just retrospective detective work and logical analysis. History tries to offer its "proof" not absolutely, but in a legal sense — beyond a reasonable doubt. As in this case, history can also pose as many questions as it can answer.

Some clues came from René Chartrand, Senior

Military and Fur Trade Advisor for Parks Canada, who became interested in the mystery. As well as the 300 Spencers ordered in March, 1866, 1,920 more rifles came in early 1867. [18] These were ordered personally by John A. Macdonald, and also came from the Spencer company's Canadian agents. The agents had been about to ship the rifles to Europe, generating opposition in the *Montreal Gazette*. [19]

2 June 1866

Dear Colonel McDougall:

We [Executive Council] think that the Spencer Rifles should be utilized — pray distribute them in the way you think best — 40,000 rounds of ammunition for them are [also] offered by Morland, Watson & Co. of Montreal — you are authorized to purchase this quantity.

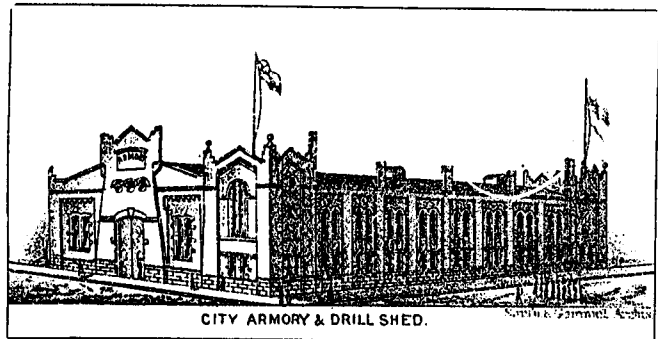
John A. Macdonald [20]

On March 8, 1867, the additional 1,920 new Spencer rifles were finally ordered distributed to five regiments, including probably 560 to the Queen's Own Rifles (for a total of 600) and 600 to the 10th Royal Volunteers (now Royal Regiment of Canada), both of Toronto. [21]

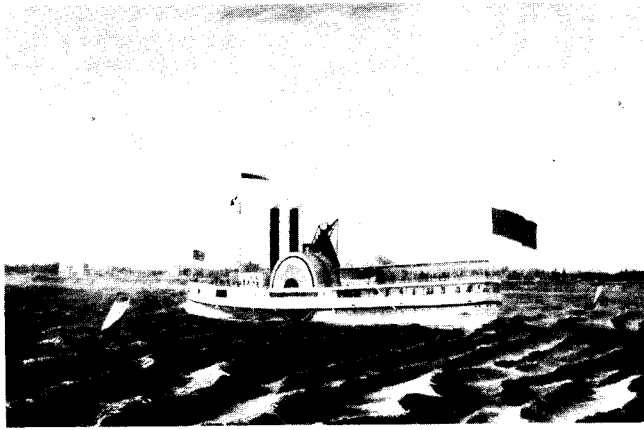
Was the case from the mud instead from this post-Fenian 1867 shipment, a never-delivered part of that 1,160-rifle issue to the entire Queen's Own Rifles and 10th Royal Regiments? Possible, perhaps, but this now seems far less likely than the previous scenario.

The 1867 shipment, as that of the previous year, undoubtedly came by rail. Transport of cargo by bateau or Durham boat up the St. Lawrence River rapids was limited to a maximum of two tons per boat, and at its best river shipment had always been extremely difficult and hazardous. [22] No Montreal shipper with any sense would have chosen the St. Lawrence route for 1,920 rifles (approximately 10-11 tons), plus the ammunition, in the railroad days of 1866-67.

From the balance of evidence, we are left with the conclusion that the Spencers from the mud were most likely lost over the side during the rush of loading the *City of Toronto* on the night of May 31, 1866. There is simply no scenario that otherwise explains *why that case of rifles was ever on Browne's Wharf at all*, much



5. The City Armoury and Drill Shed, from the 1850's to the 1890's, was the headquarters and mustering point for all Toronto volunteer regiments.



5. Built at Niagara-on-the-Lake in 1864, the sidewheel steamer *City of Toronto* carried the Queen's Own to meet the Fenians, with the Spencer rifles issued on board. The 202 foot, 600 ton, vessel was in regular passenger service between Toronto and Lewiston, New York, and burned at Port Dalhousie in 1882. This painting by W.E. Wright was commissioned by owner and captain Daniel Malloy in 1869.

less why it was lost but not recovered. The probable rush and confusion of night-time loading on the eve of battle is the only supportable explanation.

Finally in late 1867 all of the 2,220 Spencer rifles then on issue to volunteer infantry regiments were withdrawn. In the interest of standardization, though a technological regression, the Spencers were replaced with British breech-loading but single-shot Snider-Enfield rifles. [23]

The Spencer rifles were still in storage in 1873,

#### NOTES

1. Captain John A. Macdonald, *Troublous Times in Canada: A History of the Fenian Raids of 1866 and 1870*, Toronto: 1910, p. 28. There were neither surprises nor secrets. The *Toronto Globe* had directly covered the Fenian buildup in Buffalo, and was even reprinting from U.S. papers copies of Fenian directives and accounts of their financing and supply.
2. *Ibid.*, p. 38.
3. Andrew McIntosh, "Personal Recollections of the Fenian Raid &c. June 2, 1866, by one who was there." Manuscript, vertical files, Canadian War Museum, p. 3.
4. Roy M. Marcot, *Spencer Repeating Firearms*, Irvine, CA: 1983, p. 153.
5. "Map of the City of Toronto, Canada West, 1858", Lith. by James Ellis, *The Handbook of Toronto*, Toronto: 1858.
6. Public Archives of Canada, RG9, IIA6, v.9; also *Montreal Gazette*, 31 March 1866. McIntosh, *op. cit.* mentions that "Our company was at that time considered the best shots in the battalion."
7. Maj. George T. Denison, Jr., *The Fenian Raid on Fort Erie: With an Account of the Battle of Ridgeway, June, 1866*. Toronto: 1866, p. 40. Also Macdonald, *op. cit.*, p. 47.
8. Correspondence, Rene Chartrand, Parks Canada, 22 July 1986. Other than the Queen's Own Rifles, the 7th, 13th, 19th, 20th, 23rd and 27th volunteer regiments also received Spencer rifles for trial in 1866.
9. Norm Fladerman, *Flayderman's Guide to Antique American Firearms*, 3rd ed., Northfield, IL: 1983, p. 505. Of the 3,000 M.1865 rifles, it seems 2,220 came to Canada. Of the rifles illustrated, only the center example has a decipherable serial number, 1994. The underside of the barrel, just forward of the action, of the top piece is numbered 550, of the center rifle 394, and of the lower piece 138, with also an unidentified factory inspector's mark, E.M.W.
10. Marcot, *op. cit.*, p. 126.

when British Parliamentary Papers record that all arms and military stores were finally turned over to the new nation of Canada. [24]

The three Spencer rifles out of the mud, cleaned and with metal and wood stabilized, will go to other museums. None are for the R.O.M. Our role here was salvation rather than acquisition, for the R.O.M. European Department already has in its collections good examples of various Spencer models.

One of the rifles, with the bayonet, instead goes to the Queen's Own Rifles, for the regimental museum at Casa Loma in Toronto. Though only 120 years late, it is really theirs. The other two will go to the Toronto Historical Board, for exhibition at Fort York or an eventual City of Toronto Museum.

The three Spencer rifles remain a vignette of local history. Canada at best, however, has an inadequate sense and appreciation of its own history, and pitifully few artifacts survive with such an interesting or clearly definable provenance. Perhaps more than anything else, these rifles illustrate the value of historical archaeology, even in a salvage situation. From the context in which the rifles were found, they also make a case for required archaeological inspection of construction excavations in known historical areas.

I should like to thank Edward Anderson of the Toronto Historical Board, S. James Gooding of Museum Restoration Service, and most particularly René Chartrand of Parks Canada, for their invaluable aid in the preparation of this article.

11. J.M. and Edward Trout, *The Railways of Canada for 1870-1. Shewing the Progress, Mileage, Cost of Construction, the Stocks, Bonds, Traffic, Earnings, Expenses, and Organization of the Railways of the Dominion*, Toronto: 1871, p. 35.
12. Macdonald, *op. cit.*, p. 47; also Denison, *op. cit.*, pp. 46-48.
13. *Toronto Star and Globe and Mail*, 27 May 1886.
14. McIntosh, *op. cit.*, p. 3; *Toronto Globe*, 4 June 1866.
15. Claude E. Fuller, *The Breech-loader in the Service*, New York: 1933, p. 211. In the 1863 trials the Spencer fired 99 rounds in 8 minutes, 20 seconds, including reloading, averaging about a shot every 5 seconds.
16. Denison, *op. cit.*, p. 45; Macdonald, *op. cit.*, pp. 50-51; Also *Proceedings and Report of the Court of Inquiry on the Circumstances Connected with the Late Engagement at Lime Ridge*, Ottawa: 1866, p. 8.
17. Macdonald, *op. cit.*, pp. 88-91; Also Denison, *op. cit.*, pp. 68-69.
18. P.A.C., RG9, IC1, v. 274.
19. *Montreal Gazette*, 6 June 1866. The *Gazette* complained that the Spencer agents, Morland, Watson, had been ordered to ship 2,000 Spencer rifles to Europe, and with the Fenian invasion then fresh news, implored the government to stop the shipment and buy the rifles. This had (see note 20) already occurred four days earlier.
20. P.A.C., RG9, IC1, v. 131. Col. P.L. MacDougall was Adjutant General of Militia.
21. P.A.C., RG9, IC1, v. 274. From correspondence, Rene, Chartrand, 22 July 1986, as well as the Queen's Own Rifles issue of 600 rifles, 600 went to the 10th Royals, 330 to the 13th Battalion, Hamilton, 440 to Lt. Col. Taylor in London, and 110 to Lt. Col. Jarvis in Kingston. 80 of these were from the 1866 purchase.
22. Trout, *op. cit.*, pp. 24-26.
23. Correspondence, Rene Chartrand, Parks Canada, 22 July 1986.
24. Parliamentary Papers, 1873, (75), XL 425. Military stores turned over included 2,000 Spencer rifles and 900 carbines, as well as 40,670 Snider-Enfield rifles.