

## Wrecking Peasants and Salvaging Landlords – Or Vice Versa? Wrecking in the Russian Baltic Provinces of Estland and Livland, 1780–1870\*

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**ABSTRACT:** This article is a case study of wrecking, based on a database of hundreds of shipwrecks that occurred between 1780 and 1870, in what is today Estonia. Through a qualitative analysis of narrative sources, it examines the wrecking activities of manorial lords as well as of their peasants. Contrary to the international scholarly tradition, which views wrecking as an activity of the common people, this article sheds light on the deceptive and opportunistic activities of manorial lords, who were responsible for enforcing the law at the local level by performing police and court functions, but who, at the same time, benefited on a large scale from wrecking. The article contrasts this with the opportunities coastal peasants had to wreck for their own profit. In wrecking and salvage, the three characteristic elements of peasant-landlord relationships – exploitation, partnership, and patronage – emerge. In contrast with studies focusing on the friction between peasants and their lords in regions dominated by manorialism, this article argues that, in wrecking, their collaboration apparently proceeded without much conflict in this period.

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Crimes and disasters around seafaring have been traditional foci of popular interest. Among pirates, privateers, smugglers, and wreckers, the latter have received considerably less attention in both the popular literature and academic studies. Wrecking, the illegal seizure of materials and cargo of shipwrecks, was an important economic activity for several centuries, and it was performed along many coastal areas around the world.<sup>1</sup> It is a historically

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1. For its definition, see Cathryn Jean Pearce, *Cornish Wrecking, 1700–1860: Reality and Popular Myth* (Woodbridge, 2010), p. 5. The author distinguishes between three different forms of activity encapsulated in the term “wrecking”: attacking and plundering a vessel, taking or “harvesting” wrecked goods, and harvesting goods washed ashore after the shipwreck or that had come ashore in the absence of a clear shipwreck, which was the most widespread form of wrecking. She separates these activities for the sake of analysis and stresses throughout her book the simultaneity of these forms of wrecking practices in reality.

significant practice as it informs us about ideologies, popular morality, and social relationships. The wreckers often drew legitimacy for their action from either “customary right, popular ideas and traditional values”<sup>2</sup> or “moral entitlement”.<sup>3</sup> Alain Cabantous has shown how the practice of wrecking illuminates “the cultural meanings of communal organizations”.<sup>4</sup> Early-modern wrecking has often been treated in discussions of social crimes, and it has been seen as a form of social protest.<sup>5</sup> International scholarship on wrecking in the early modern and modern eras usually highlights the conflict between locals and the authorities, and the dichotomies between elite and popular cultures.

This article addresses two important but less studied aspects of wrecking: first, the engagement in it of the manorial lords and the peasants, who did the actual salvaging and wrecking; second, the social, economic, and legal context of dividing the booty between the various parties who stood to benefit from the wrecking.

Through a qualitative analysis of narrative sources, the article examines the wrecking activities of peasants as well as of their lords, who were responsible for enforcing the law at a local level by performing police and court functions. Salvage and wrecking were often practised side by side, occupying the grey zone between legality and illegality.<sup>6</sup> Both salvage and wrecking as economic enterprises were highly remunerative, and in Estland and Livland collaboration between manorial lords, stewards, and manor overseers, on the one hand, and the peasants, on the other, apparently proceeded without much conflict, since the archival records offer only very scant information on both cooperation and friction between landlords and peasants in this matter. Cooperation between lords and peasants is noteworthy, given that peasant-landlord relationships in the Baltics were usually severely strained and hence well-documented in archival sources. The invisibility of conflict in official sources is partly explained by the fact that wrecking was a profitable venture for manorial lords and commoners alike, even though the first gained significantly more than the second did, and at the expense of the second. My results support Cathryn Jean Pearce’s recent

2. John G. Rule, “Wrecking and Coastal Plunder”, in Douglas Hay *et al.*, *Albion’s Fatal Tree: Crime and Society in Eighteenth-Century England* (London, 1975), pp. 167–188.

3. For the concept of “moral entitlement” and a discussion of its relevance, see Pearce, *Cornish Wrecking*, pp. 97–101.

4. Alain Cabantous, *Les côtes barbares. Pilleurs d'épaves et sociétés littorales en France, 1680–1830* (Paris, 1993).

5. Philip Jenkins, *The Making of a Ruling Class: The Glamorgan Gentry 1640–1790* (Cambridge, 2002), pp. xxvi, 98–99; Rule, “Wrecking and Coastal Plunder”, pp. 167–188.

6. Pearce, *Cornish Wrecking*, ch. 7; Brad Duncan, “The Maritime Archaeology and Maritime Cultural Landscapes of Queenscliffe: A Nineteenth Century Australian Coastal Community” (Ph.D., James Cook University, 2006), available at: <http://researchonline.jcu.edu.au/2050/1/01front.pdf>, last accessed 27 September 2015.

suggestion that the interrelationship between manorial lords and country people in relation to wrecking was based on mutuality as well as antagonism.<sup>7</sup> Manorial lords needed a workforce, boats, and knowledge; both parties expected not to testify against each other and the other to turn a blind eye to stealing and fraudulent activities. Since police power was exercised by noblemen at the district level – one for each large district or subdistrict; in Estland they received no remuneration for their work and in Livland only a tiny salary – and at the local level by a manorial lord, local and regional relationships proved crucial to the outcome of the illegal actions regarding wrecking.

Unlike in several other areas, shipwrecking in the Baltics did not so much shape existing social, economic, and power relationships, but these relationships did determine the behaviour of locals with regard to wrecking. The effects of these relations on wrecking activities will be the focus of this article. In salvage and wrecking, one finds the three characteristic elements of peasant-landlord relationships – exploitation, partnership, and patronage. Existing literature on the Baltic Sea trade rarely mentions coastal wrecking on the Baltic Sea, though the topic has gained more attention in local studies and folklore.<sup>8</sup> The present work is, therefore, the first systematic and comprehensive study of wrecking practices in the eastern Baltic.

Material for the investigation has been drawn from official and business correspondence, police records, criminal sentencing and prosecution records, laws, and folk tradition. Sometimes, mere fragments of text may hint at crucial, yet completely hidden aspects. Rhetoric and the argumentation of merchants, landlords, and court and state officials alone could speak volumes. Folk tradition – despite exaggerations, fragmentariness, omissions, and other defects – reflects common attitudes.

This article is based on the Estonian shipwreck database that covers the period from the 1600s to the present day. In addition, it incorporates maritime accidents where ships were saved, cases not included in the database. Since the shipwreck database has been described elsewhere<sup>9</sup> and is available online, it is sufficient to say that the nineteenth century is over-represented with 850 cases. Around 200 cases derive from the eighteenth century. The obligation of county magistrates to report shipwrecks from

7. Pearce, *Cornish Wrecking*, p. 165.

8. Yrjö Kaukiainen, “Wreck-Plundering by East Finnish Coastal People – Criminal Tradition or Popular Culture?”, in *Sail and Steam: Selected Maritime Writings of Yrjö Kaukiainen* (compiled by Lars U. Scholl and Merja-Liisa Hinkkanen) (Research in Maritime History, 27) (St. John’s, Newfoundland, 2004), pp. 151–162; Nils Hansen, “Strandrecht und Strandraub. Bemerkungen zu einem Gewohnheitsrecht an den schleswig-holsteinischen Küsten”, *Kieler Blätter zur Volkskunde*, 33 (2001), pp. 51–78.

9. Reet Hünerson, Enn Küng, and Kersti Lust, “Archival Sources on Maritime Accidents in Estonia from the 17th to the Early 20th Century”, in *Shipwreck Heritage: Digitizing and Opening Access to Maritime History Sources* [Muinasaja teadus, 23] (Tallinn, 2013), pp. 63–85.

the 1780s, on the one hand, and technical developments and improved shipping conditions in the late nineteenth century, on the other, largely account for the overrepresentation of the years between the 1780s and 1870s. How frequently grounded ships really fell to wrecking cannot be read from archival sources, but they record few such cases in connection with maritime accidents. The extant police archives, for example, are far from extensive. Data on the illegal seizure of materials and cargo is so rare and so fragmented that it renders a quantitative approach unfeasible.

This article focuses on the years 1780 to 1870 – a period of intensive legal regulation, which also saw documented wrecking activities peak. The growing number of cases reflects the increased opportunities for looting provided by the significant growth in merchant shipping over the period. In the last few decades of the nineteenth century, wrecking waned again, due to improved rescue services, the tightening of government control, and socio-economic modernization. Our study focuses on the islands of Hiiumaa (Dagö), Vormsi (Worms), and the west coast of Saaremaa (Ösel), and includes a few examples from other small islands off the west and northwest coast of present-day Estonia (see Figure 1). Like several other areas in the world where coastal plunder frequently occurred, these regions were geographically isolated and economically, culturally, and politically marginal.

#### ECONOMIC AND SOCIAL CONTEXT

In the eighteenth century, the Baltic Sea trade witnessed growth that was stifled only by war, and in the first half of the nineteenth century this expansion continued at a rapid pace despite short-term setbacks.<sup>10</sup> As a result of the conquest of the Baltic littoral in the Great Northern War (1700–1721), Russia became a seaborne trading power. The Baltic trade became more diversified, and the newly established capital of the Russian Empire on the banks of the Neva was provided with textiles, dyewood and dyestuff, alcohol, spices, various colonial and luxury goods, and later also with machinery and their parts. The eastern Baltic exported grain, wood, flax, hemp, and other land-intensive products.

The islands of Hiiumaa and Saaremaa had a key position on major sea routes to and from the principal ports of the Russian Empire – St Petersburg and Riga. South of the Sõrve Peninsula lies the main exit from the Gulf of Riga to the Baltic Sea – the Irbe Strait. Ships on their way from the imperial capital to Riga passed the island of Vormsi, east of Hiiumaa. Ships equipped with elementary navigation tools sailed rather close to shore, and skippers observed landmarks visible far offshore. Shipping conditions improved in the nineteenth century, when the number of lighthouses on

10. Michael North, *Geschichte der Ostsee. Handel und Kulturen* (Munich, 2011), pp. 180–181.



Figure 1. Estland and Livland in the nineteenth century.

Estonian shores increased considerably and the supervision and control of their maintenance was transferred completely to the Admiralty, their maintenance rules were updated and standardized, and lighthouses were provided with modern lighting equipment.<sup>11</sup> The establishment of rescue stations in some key locations such as Vilsandi (Filsand) and the emergence of steam-powered tugboats prevented more disasters in the final decades of the nineteenth century. In addition, lightships were stationed in the most dangerous places.<sup>12</sup>

Estonia's long and deeply indented coastline, with its many bays, inlets, and straits, together with its prevailing weather patterns, meant that shipwrecks were inevitable. The north coast of Hiiumaa has numerous shoals. Hiiu shoal (*Neckmansgrund*) has claimed hundreds of ships over the centuries. From 1848–1873, 121 vessels sank and twenty-five sailors drowned near the peninsulas of Kõpu and Tahkuna and on Hiiu shoal.<sup>13</sup> Also, the sea off the west coast of Saaremaa, near Vilsandi and Sõrve, is rich with reefs and banks. From 1856–1871, forty-three vessels ran ashore near Vilsandi and the Harilaid peninsula on the northwest coast of Saaremaa.<sup>14</sup>

Agricultural relations in this coastal region were dominated by the manorial system and serfdom, which reached its height at the end of the eighteenth century and gradually disappeared by the mid-nineteenth century. Manorialism was both a mode of production and a form of social domination. It meant strict control and regulation of peasant activities on the estate. In the period under study, all cultivated land was owned either by nobles (who were overwhelmingly Baltic Germans) or the crown. Peasants (i.e. the entire Estonian population in the villages, including coastal fishermen) were tied to the land until the early 1820s, owed labour service to the landlord, and were prohibited from moving from their estates without his permission. The manorial economy was based on the unpaid labour duties (corvée) of peasants, who were, therefore, not free to dispose of their own labour power. Until the early nineteenth century, peasant serfs were deprived of legal and property rights and were entirely subject to the will of the noble masters whose lands they worked. The emancipation of 1816–1819 did not significantly change the basic economic relationships: labour obligations were now transformed into labour rent based on the “freely negotiated contract”. Corporal punishment for peasants was normal until the 1860s. A broad cultural and linguistic gap also separated the educated Baltic-German landowning class from the Estonian and Latvian peasantry.

11. Jaan Vali, *Eesti tuletornide ajalugu* (Tallinn, 2011), pp. 22–27.

12. Peeter Peetsalu, *Merekultuurilugu. Eesti randade tuletornidest* (Tallinn, 2013), p. 98.

13. *Ibid.*, p. 489.

14. *Ibid.*, p. 302.

The peasant population was stratified along more or less the same lines in the pre- and post-emancipation period. The most important lines were drawn between farm heads, who were tenants; people who had no holdings of their own but circulated among the farmsteads and manors as hired labour (farmhands, manorial labourers, and servants); and cottagers, who possessed very little land and normally worked for wages. One can hardly read the social composition of the wreckers from the sources, but there is little ground to believe that wrecking was limited to any of these social groups in particular.

Both Estonians and coastal Swedes practised wrecking. The Swedish settlements were located on the islands of Ruhnu (Runö) and Hiiumaa, in the coastal areas of northwest Estonia, and on the islands (Vormsi, Osmussaar, the Pakri islands, and Naissaar). Coastal Swedes were not serfs and suffered fewer restrictions, but they escaped manorial oppression and severe exploitation only on small islands where there were no manorial lands.

#### LEGAL CONTEXT: LAW AND ITS ENFORCEMENT

Common tradition dictated that if a ship was in distress, the local people had the right to seize the cargo that was washed into the sea or salvaged. Foreign rulers – the Danes, the Livonian Order, and the Bishop of Ösel-Wiek – arriving on the territory of present-day Estonia in the thirteenth century started to forcefully change these conventions and practices.<sup>15</sup> Help in rescuing the crew and cargo was now demanded. Local people were entitled to expect a reward, but seizing the cargo at will was made criminal. In mediaeval Livonia, which was politically decentralized and where local landlords had strengthened their position, a new strong force – coastal landowners – arose alongside the local peasantry; both wanted to gain from the shipwrecks and keep as much of the salvaged cargo as possible.

Throughout most of the seventeenth century the territory of present-day Estonia was part of the Swedish Empire. It was finally united under one monarch. The central authorities in Stockholm made an effort to consolidate the legal code concerning merchant shipping.<sup>16</sup> In the Russian Baltic provinces of Estland and Livland (1710–1918), Sweden left a strong administrative and legislative legacy. From 1780 onwards, Russian state maritime and shipping laws stated very precisely who must help a ship in distress, how this should be done, and how their efforts should be rewarded.

On the occasion of a shipwreck, the law obliged every subject of the Russian Empire to help save the crew and passengers, and to salvage as

15. Vilho Niitemaa, *Das Strandrecht in Nordeuropa im Mittelalter* (Helsinki, 1955).

16. *Der Reiche Schweden See-Recht [...] 1667 ist verordnet worden* (Riga, 1706).

much of the cargo and ship as possible.<sup>17</sup> Salvors could not claim shipwrecked goods, the wreck, or items irrespective of whether there were survivors or not, but they could claim a reward after the goods and rigging had been evaluated by sworn-in assessors and sold at auction or restored to the proprietors. The laws protected the rights of survivors and proprietary owners of the ship and cargoes to a somewhat larger extent than in England, where the crown recognized the rights of manorial lords to a wreck.<sup>18</sup> In England, manorial lords could not legally claim cargo until it had been left unclaimed by its owners for a year and a day. In Russia, lords or salvors could never claim cargo; if there were no legal claimants within two years, goods were sold at auction; after the salvage had been deducted from the auction revenues, the rest was given for public welfare.<sup>19</sup>

In Russia, laws did not entitle coastal landowners to the wreck, but those landowners used their landowning position, on the one hand, and the subordinate status of peasants (who were serfs in the Baltics until 1816–1819), on the other, to obtain entitlement to salvage as sole salvors.

Upon sighting a vessel in distress, the local landowner or (in his absence) the steward would be notified and given command of the entire salvage operation, either going ashore personally or sending his agents to direct the operation. The skipper of the wrecked ship had “ultimate authority” during the shipwreck event,<sup>20</sup> but he usually authorized the salvage operation being carried out by the landlord on whose estate the incident had occurred.<sup>21</sup> The government protected the wrecked ships and cargo by authorizing county magistrates to oversee the salvage operations and to organize the sale of salvaged items at auction.

Imperial legislation in Russia entitled the salvor to the salvage, but threatened the wrecker with punishment. Salvage had standardized rates, with one quarter to one sixth of the goods or proceeds typically allowed to salvors. The amount of salvage reward depended on the value of the cargo. Maritime law also considered the distance from the ship to the shore. A distance of up to one *verst* (approximately one kilometre) entitled the rescuer to one sixth of the cargo’s value; a greater distance entitled him to a quarter.<sup>22</sup> County magistrates received one quarter of this reward for

17. *Russisch-Kaiserliche Ordnung der Handels-Schiffahrt auf Flüssen, Seen und Meeren* (St Petersburg, 1781), § 276.

18. Pearce, *Cornish Wrecking*, pp. 149–185.

19. *Russisch-Kaiserliche Ordnung 1781*, § 277, *Svod Zakonov Rossiiskoi Imperii* (hereafter, SZ), *Svod uchrezhdenii i ustavov torgovyh* (St Petersburg, 1842), § 1071.

20. *Russisch-Kaiserliche Ordnung 1781*, § 282; SZ 1842, § 1028.

21. *Ibid.*, § 282.

22. *Ibid.*, § 281; SZ, 3rd edition, *Svod ustavov gosudarstvennoi blagoustroistva* (St Petersburg, 1836), § 1162, 1163.



overseeing the salvage operations and for organizing the auction of the items salvaged. After 1824, the role of the customs authorities in salvage operations grew. Initially, only dutiable goods were placed in the care of customs; from 1836, customs were expected to oversee the whole operation, alongside the police (county magistrates), and be entitled to a reward for doing so.<sup>23</sup>

The border customs guard, established in 1782, was one of the main threats to the arbitrariness of manorial lords. After 1811, the Ministry of Finance was responsible for managing all customs stations and local coastguards (a distinction was made between coastguards and customs officials). Customs officials complained regularly to the Estland Guberniia Administration,<sup>24</sup> as well as to the ministry in St Petersburg, about the role of manorial lords in wrecking. In England, the creation of a permanent salvage corps, alongside giving additional powers to the local justices, was seen as a means to combat wrecking. In another development from the mid-nineteenth century, the wreck was to be turned over to the office of the Receiver of Wreck.<sup>25</sup>

Depending on the value of the cargo, the salvage award in Russia could be tens of thousands of roubles, and in some cases more than 100,000 roubles<sup>26</sup> – enough to purchase a manor. The landowner probably shared some of the award, in one form or another, with the actual rescuers – local inhabitants – but their bargaining power vis-à-vis landlords was diminished by their poverty and labour dues, and the lack of language skills necessary to enable them to enter into direct deals with the skippers. Restrictions on ship ownership or on sailing the sea without the knowledge of the manor's coastal overseer made it impossible for coastal inhabitants to act as salvors on their own. In several countries, salvage had standardized rates, but in England and the United States the law did not specify the amount of salvage.<sup>27</sup> In England, salvors customarily received a moiety – half the goods or half their value.<sup>28</sup> In England manorial lords with wreck rights were required to pay salvors. This practice clearly differs from the Baltic, where the actual salvors had to put up with meagre wages paid by lords, and had no legal means to demand a proper share.

23. SZ 1842, § 1019, 1025, 1041.

24. The Guberniia Administration oversaw the general administration of the province, including the provincial administration, public order, justice, and the courts.

25. Pearce, *Cornish Wrecking*, pp. 75–79.

26. Estonian Historical Archives (hereafter, EAA) (the first number in the archival references refers to the record group, the second to the inventory, and the third to the item), EAA 30-1-9229 (*African*, 1910); EAA 625-1-418 (*Vulture*, 1840); EAA 30-11-584 (*Napoleon*, 1857).

27. Karl von Kaltenborn, *Grundsätze des praktischen europäischen Seerechts [...]* (Berlin, 1851), vol. 2, pp. 29, 34–38, 49.

28. Pearce, *Cornish Wrecking*, pp. 49, 98–99, 149, 164.

The Maritime Law, the Trade Regulation Act, and the Penalty Code established punishments for failure to provide help,<sup>29</sup> and local peasants did not have a say in the matter since their manorial lord forced them to assist. Swedish laws, which continued to be in force in Estland and Livland throughout most of the eighteenth century, imposed the death penalty on peasants for participating in ship plundering, but matters rarely escalated that far.<sup>30</sup> Wreckers were punished with flogging or a fine. In several other countries, the looting of wrecked vessels and their cargoes was made a capital offence in order to discourage possible shipwreck and plunder.<sup>31</sup> European states no longer tolerated violence beyond their control, and piracy was effectively suppressed by the end of the eighteenth century.<sup>32</sup> It has been claimed that eighteenth-century England saw a proliferation of new laws aimed at the preservation of property “by terror”.<sup>33</sup> Similarly, in the Baltic, the administration of criminal justice apparently served as an instrument of class rule, and the judicial system can be seen as a key force, which reinforced the hegemony of the noble elite.

As long as serfdom persisted, the penalties meted out to Baltic serfs for the “appropriation of property” were rather mild and usually in the form of corporal punishment. Penalties became harsh in the mid-nineteenth century, when even first-time looters – regardless of the value of their loot – were relocated to remote, harsh-regime penal stations.<sup>34</sup> For example, in 1846, the peasant who was appointed to guard the tallow that had washed ashore from the English cargo vessel *Cora* off the cape of Tahkuna gave twenty pounds of it to another peasant and was punished with ninety lashes and eight years in an Arkhangelsk labour camp.<sup>35</sup> The feudal court of Läänemaa sentenced him and his companions to flogging, but the Estland Supreme Land Court deemed this too lenient.<sup>36</sup> The decision of the

29. *Russisch-Kaiserliche Ordnung 1781*, § 286; *SZ, Svod ustavov 1836; Ulozhenie o nakazaniakh ugolovnyh i ispravitel'nyh* (St Petersburg, 1845), § 1506.

30. Ihrer Königl: Majest: PLACAT und BEFEHL, Angehend die Gewalt und Räuberei, so an Schiffsbruch gelittenen und gestrandeten Fahrkosten verübet wird. 6 December 1697 (EAA 1–2–34, ff. 279–290); Mati Laur, *Eesti ala valitsemine 18. sajandil (1710–1783)* (Tartu, 2000), p. 184. Elizabeth of Russia's decrees abolished the death penalty in the 1740s, but in the Baltics the abolition did not apply to several types of crimes, including ship plundering.

31. Pearce, *Cornish Wrecking*, pp. 76, 157. For the states of Virginia and Maryland, see Amy Mitchell-Cook, *A Sea of Misadventures: Shipwreck and Survival in Early America* (Columbia, SC, 2013), p. 37.

32. Jan Glete, “Europe and the Sea”, in Peter H. Wilson (ed.), *A Companion to Eighteenth-Century Europe* (Chichester, 2014), p. 424.

33. Douglas Hay, “Property, Authority and the Criminal Law”, in *idem et al.*, *Albion's Fatal Tree*, p. 21. For a critique, see Peter King, *Crime, Justice, and Discretion in England 1740–1820* (Oxford, 2000).

34. *Ulozhenie o nakazaniakh*, § 1648.

35. EAA 29–1–7242.

36. EAA 863–1–1948, decision of the feudal court, 4 October 1847; decision of the Estland Supreme Land Court, 23 October 1847.

Supreme Land Court needed the approval of the Guberniia Administration. Since more than nine men had been sentenced to corporal punishment for the crime, the Governor of Estland forwarded the case to the Russian Senate. He also pleaded for the peasants who had stolen tallow from the *Cora*, asking that mitigating circumstances be taken into account – the defendants had confessed at the initial hearing and turned in all their accomplices, unaware that, under the new law, punishments had become much harsher; they were still under the impression that standard punishments for stealing would apply. The value of the loot was marginal, and they had returned all the stolen goods immediately when ordered to do so by the manor.<sup>37</sup> The Senate, however, left in place the lower-court ruling to exile over ten convicts to Arkhangelsk.

However, the Senate sometimes reduced sentences. For example, on 10 July 1862, it reduced the prison sentence and number of lashes, cancelled the relocation to Siberia, and allowed the offenders to return home to Torgu after imprisonment for stealing some yarn, a piece of iron, a pulley, and a pump.<sup>38</sup> In the 1860s, the state government changed the penal code by reducing sentences and abolishing corporal punishment.

The nobility retained extensive judicial and police powers until the 1880s, which ensured landowner control of local law enforcement. The noble corporations in Estland, Livland, and Saaremaa provided judges and assessors in the feudal and land courts. The feudal courts (*Manngericht*) and land courts (*Landgericht*) were the courts of first instance in the districts of Estland and Livland, respectively, in civil and criminal cases. The Estland Supreme Land Court was the feudal court's appellate court and comprised twelve members of the executive committee of the assembly of the nobility; it was chaired by the Governor. The Governor headed most administrative, fiscal, judicial, and military institutions in the province. Maintenance of order at the district (county) level was vested in the county magistrates (*Hakenrichter* and *Ordnungsrichter* in Estland and Livland, respectively), who conducted investigations and carried out judicial sentences. Local nobles held the positions of county magistrates. They were subject to the Guberniia Administration. The lord performed police functions on his estate(s).

At the highest level, a Governor-General had administered the Baltic provinces of Livland, Estland, and Kurland since 1795. As the highest local executive official and military authority, he was in charge of internal order in the provinces and their overall security.<sup>39</sup>

37. EAA 29–1–7242, Governor of Estland to Senate, 3 July 1848.

38. EAA 968–1–2729, ff. 64v–65v, 81–82, decision of Saaremaa land court, 30 January 1861; decision of Senate, 10 July 1862.

39. For more, see the descriptions of the respective institutions in a web-based archival guide to the maritime relations of the countries around the Baltic Sea at: <http://www.balticconnections.net/index.cfm?article=Home>, last accessed 24 August 2016. With regard to shipwrecks, their duties are described in Hünerson *et al.*, “Archival Sources”, pp. 63–85.

## OPPORTUNISTIC ACTIVITIES OF MANORIAL LORDS

Russian maritime law entitled “anyone” who helped with the rescue and provided shelter to the people, cargo, and crew’s things to a reward from the ship owners,<sup>40</sup> but, in reality, the reward was usually received by the landowner, i.e. the manorial lord. This caused arguments between landowners regarding in whose waters the accident occurred.<sup>41</sup> The manorial lords believed that if a ship was wrecked in their waters, it was they who were entitled to the salvage reward and not the people who got to the wreck first and actually salvaged the crew and cargo. Sometimes, however, the merchants, lords of other manors, local customs, or police that organized saving the cargo managed to hold their ground and forced the landowners in whose waters the ship ran aground to relinquish their claim to a reward.<sup>42</sup> Instead, they paid the peasants for their work.

A particular “scheme” for sharing the salvage was adopted on the west coast of Saaremaa in the parish of Kihelkonna, where manor borders in the water were not followed and, instead, the salvage reward was divided between several local manorial lords.<sup>43</sup> Such an arrangement caused bad blood, and deals and disputes among the various parties were rife.<sup>44</sup>

Rescue “against the will” was practised in Vormsi, Saaremaa, and Hiiumaa, but the cases that we know of occurred in places where shipwrecks had been rare. Accusations about rescue “against the will” were made when the captain thought that the ship could have made it without the eager “help” sent from shore, or if the price demanded for the rescue was unrealistically high. In a few cases, the manorial lord gave the skipper bad advice and suggested he stay at his “safe port” or even ordered the salvage tug to undo the towropes so that the ship would run aground or sink.<sup>45</sup>

40. *Russisch-Kaiserliche Ordnung 1781*, § 281.

41. EAA 30-1-9183 (*Mercur*), Haapsalu customs office to Estland Guberniia Administration, 10 October 1803; EAA 625-1-446 (*Pohjantähti*), Livland Guberniia Administration to Saaremaa county magistrate, 5 March 1846.

42. EAA 30-1-9108, Haapsalu police court to Estland Guberniia Administration, 23 June 1789; EAA 1000-1-3925, ff. 58-59, Lilienfeld to Pärnu county magistrate, 10 July 1806; EAA 862-1-1459, ff. 8-9, Hermann von Harpe to Estland Guberniia Administration, 13 November 1834; ff. 27-29v, Gottlieb Meybaum’s explanation, 18 January 1835; f. 41 explanation of Kunda customs officer Alexander von Bukau; ff. 44-44v, notice from Clayhills, 29 April 1835. See also other cases in EAA 30-1-9182 (*Alexander*, 1803), EAA 30-1-9193 (*St Vassili*, 1804); EAA 30-1-9286 (*Neptunus*, 1823).

43. EAA 625-1-383 (*Bertha*, 1826); EAA 625-1-468 (*Scotia*, 1850), EAA 625-1-499 (*Helene*, 1854).

44. EAA 625-1-414 (*Hoppet*, 1838), Schulz(e) to Schmid (undated); EAA 625-1-463 (*Laurentia*, 1850), correspondence of Friedrich Buxhoevden and Schmid (undated); EAA 625-1-498 (*Anna*, 1853) (Buxhoevden, Dittmar, and Schulze to Schmid); EAA 625-1-88, ff. 32-33, Schulz(e) to Schmid, 14 December 1842.

45. EAA 30-1-9230 (*Alexey and Frau Hindrika*, 1810); EAA 30-9-1043 (*Juno*, 1866).

Then they tried to extort a salvage reward for unloading the valuable cargo from such ships. In one such case, in 1810, the Estland Guberniia Administration found that “due to a large number of strandings and other illegal activities, the island [Hiiumaa] has become infamous”, and this institution had to carefully monitor the island in order to avoid being prosecuted itself.<sup>46</sup>

It was often the noble landowner himself or his son who demanded that the skipper sign rescue contracts on the manorial lord’s conditions – which were clearly disadvantageous for the owner and skipper. The disputes easily arose, as the term “shipwreck” (German: *Strandung*; Russian: *krushenie*) was only loosely defined by law. In addition, skippers often had very poor or no knowledge of German, and they were unfamiliar with maritime law; hence, it was easy to take advantage of a distressed skipper’s fear and helplessness. The outcome of disputes was determined by several factors – partly the skipper’s willpower and crew’s testimonies, but also the content of the sea protest (a skipper’s statement about the voyage and the relevant incidents recorded in the ship’s log) and court testimonies.

The most frequent source of confrontation with state officials, however, was not wrecking but the issue of dividing the salvage reward, for which the Estland Guberniia Administration was responsible. Rewards were usually financed from the proceeds of auctioning the goods salvaged, although the owners themselves could also pay. In accordance with the opinion of the State Council on 3 May 1824, customs had to monitor closely the salvaged goods and rigging, which were to be turned over to the Guberniia Administration.<sup>47</sup> Customs had to register and take under their control dutiable foreign goods, and if they participated in giving assistance to shipwrecks they were entitled to a reward like the other salvors.<sup>48</sup> This was an annoyance for landlords, who wished to share the rescue fees with as few others as possible.<sup>49</sup> Manorial lords had to pay customs duties on foreign goods if these were part of the salvage reward given to them in kind. In some instances, when the sums of money amounted to tens of thousands of roubles, the landlords protested against the conduct of customs officers, as happened with the five casks of gold salvaged from the English screw steamer *Neptune* in 1853, when the owner of Kõrgessaare manor, Eduard von Ungern-Sternberg, refused to give anything from his 50,000-rouble reward to customs.<sup>50</sup> The dispute was settled with an agreement and customs received their share.

46. EAA 30–1–9230, ff. 41–47, Estland Guberniia Administration to Senate, 22 November 1811.

47. Polnoe Sobranie Zakonov (hereafter, PSZ) I, T. XXXIX, no. 29 893; SZ, *Uchrezhdeniia i ustavy torgovye* (St Petersburg, 1832), § 858.

48. Ukaz of the Senate, 14 March 1799 (PSZ I, T. XXV, no. 18 915).

49. EAA 30–1–9303 (*Globe* and *Neptune*, 1824), Eduard von Ungern-Sternberg to Estland Guberniia Administration, 3 March 1825.

50. EAA 30–11–485, Ungern-Sternberg to Governor of Estland, 5 September 1853, and to Estland Guberniia Administration, 30 October 1853; Tallinn Customs Office to Estland Guberniia Administration, 11 August 1855.

Border customs guards could cooperate with manorial lords in helping them defend their rights to the reward, but much more is known about coastguards, who were heartily despised and frequently subjected to threats and abuse, which occasionally turned into violence. Manorial lords sometimes ordered stewards and peasants to ignore the coastguards, denied them permission to examine and seal the goods, or tore down the seals affixed to doors by coastguards, asked peasants to prevent customs from recording, storing, or transporting the goods, or simply told them to leave. In an extreme case, on Vormsi in 1788, the peasants and the steward, who were busy hewing out iron from a deck, berated and hit a customs guard for trying to stop them. In addition, they destroyed his cart and horse tack.<sup>51</sup>

When, in addition to receiving a salvage reward, the manorial lords wanted to benefit from the shipwreck, they did not need to seize ship parts and the cargo of shipwrecks illegally,<sup>52</sup> especially considering that, if discovered, they would have lost the salvage reward.<sup>53</sup> Rather, they had other means of manipulation. In support of their demands for high rewards, the landlords mentioned the dangerous conditions of salvage operations or the long distance of the wreck site from the shore.<sup>54</sup> Another opportunistic measure tried successfully over and over again involved a demand to sell the goods at the manor as quickly as possible due to the risk of damage, or under some other pretext, so that the manorial lord or his business partners could buy the cargo at the best prices, or to allow the goods to be sold only in bulk and not by piece. Living far from the nearest towns meant that manorial lords would have no wealthy competitors, who might have been able to buy expensive goods and, if the auction were carried out quickly, they would be able to purchase the whole cargo cheaply. Another common trick was to demand a salvage reward in kind and resell the goods at higher prices in Riga and Tallinn. One of the key factors in the business transactions of manorial lords was partner trading houses. The Ungern-Sternbergs had ties with the Clayhills in Tallinn, and manorial lords in western Saaremaa with the Schmidts in Kuressaare.<sup>55</sup>

51. EAA 30-1-9100, local customs officer to the fiscal office of Estland, 22 September 1788.

52. They did, nonetheless, as can be seen from the correspondence between Schmid and manorial lords in Saaremaa. See, for example, EAA 625-1-88, ff. 32-33, Schulze to Schmid, 14 December 1842.

53. *Russisch-Kaiserliche Ordnung 1781*, § 281.

54. EAA 625-1-357 (*Aid*), Livland Guberniia Administration to Saaremaa county magistrate, 24 October 1819; EAA 30-1-9445 (*Yegor*), Saarte-Läänemaa county magistrate to Estland Guberniia Administration, 9 November 1845; EAA 30-1-9165 (*Hoffnung*, 1801), Saarte-Läänemaa county magistrate to Estland Guberniia Administration, 19 April 1802; EAA 863-1-1935 (*Maria Gustava*), Captain Olsson to Governor-General, 16 July 1824.

55. Christoph Friedrich Schmid died in 1831, after which his sons Constantin and August took over the family business. The Chr.Fr. Schmid trading house operated until the mid-1870s.

During salvage operations on the western coast of Saaremaa on 5 May 1840, Captain Edward Wylde of the English steamer *Vulture*, en route from London to St Petersburg, wrote to commission agent Schmid, “I fear we shall not get many more goods out of the ship. There is sad stealing going on here, which I cannot prevent. The agent for Lloyd’s does not appear to care much about it”.<sup>56</sup> On 18 May 1840, he complained to Schmid: “They still continue to get a few goods out of the ship, but they plunder greatly”.<sup>57</sup> Foreign captains could not know that Schmid was a key figure in the fraudulent activities of the local elite. Lloyd’s agent was the merchant Johan Bazancourt, who confirmed in his official report that, during an extremely complicated salvage operation, they were able to save only those goods from the valuable cargo that were listed in the report and that the missing amount was damaged and left on the ship soaked in water.<sup>58</sup>

If a large amount of goods was said to have been destroyed,<sup>59</sup> washed away,<sup>60</sup> gone missing,<sup>61</sup> or could not be salvaged at the moment (providing an opportunity to return later and remove them in secret), it could also be classified as direct fraud or theft. Withholding information was commonplace on the west coast of Saaremaa, since everyone tried to be the first to arrive at the wreck site.<sup>62</sup>

The various levels of police and judicial authorities were incapable of solving the cases of “lost merchandise” when all locals engaged in salvage (manorial lord, steward, local seamen, and peasants on guard, etc.) denied any theft and testified that some of the goods may have perished due to the poor weather conditions. The disputed circumstances were often either dubious or too complicated for the court to ascertain.<sup>63</sup> In the case of the Swedish ship *Louisa Carolina*, carrying general goods from Lübeck to Ekenäs in 1797, the discrepancies between the invoices owned by the merchants and the lists of salvaged goods that had reached the customs warehouse in Tallinn were remarkable – more than a quarter of the cargo had disappeared, bringing the overall value of “vanished” goods to 10,000 roubles.<sup>64</sup> However, a treasury official ruled that the evidence

56. EAA 625–1–418.

57. *Ibid.*

58. *Ibid.* (draft or copy of the report).

59. EAA 30–1–9144, O.R.L. von Ungern-Sternberg’s explanation, 27 July 1798; EAA 625–1–383, Schmid (?) to August Scheer & Co in St Petersburg, 6 October 1827.

60. EAA 625–1–428, Friedrich von Buxhoevden to Saaremaa county magistrate, 3 May 1843.

61. EAA 4924–1–6325, ff. 19–19v, 21, decisions of Estland Guberniia Administration, 19 June 1864 and 5 August 1865; EAA 625–1–498, cf. reports on salvaged champagne casks.

62. EAA 625–1–399 (*Minerva*), Schulz(e) to Schmid (undated), 4 October 1832; EAA 625–1–499 (*Helene*), Toll to Schmid, 13 April 1854.

63. EAA 863–1–1935, Estland Guberniia Administration to feudal court of Läänemaa, 26 July 1824; EAA 30–1–9294, Governor to Governor-General, 24 December 1824; Governor-General to Governor, 7 January 1825.

64. EAA 30–1–9144, protocol of the Haapsalu town council, 28 May 1798.

supporting accusations that the manorial lord had obstructed the work of customs, losing vessel documentation, damaging the packaging, removing labels, and stealing in general, was insufficient.<sup>65</sup>

The fraudulent activities of manorial lords were possible because, during investigations, their stewards or peasants rarely testified against them. This was quite different in England, where the testimony of manorial tenants was used to determine legal manorial rights.<sup>66</sup>

In Cornwall, wreckers came from all levels of society – from the gentry to the “middling sorts” to the lowest labourer.<sup>67</sup> In the Baltics, the Ungern-Sternberg family, for example, who owned the entire northern part of Hiiumaa, was one such high-ranking family whose money and influence came partly from salvaging and plundering ships. Baron Otto Reinhold Ludwig von Ungern-Sternberg (1744–1811) was able to claim before judges and magistrates that his looting was actually work done to rescue the ships, and thus he outmanoeuvred the justice system. Initially, local peasants refused to testify against him,<sup>68</sup> but during later trials they changed their minds and were given the status of crown peasants in return.<sup>69</sup> There were judges who withdrew from cases involving the baron. He was violent and threatened his skippers, and obstructed the work of the police and the courts.<sup>70</sup> The provincial authorities failed to ensure the timely hearing of the case involving the destruction by fire of the salvaged ship *Frau Sophia*, because they were unable to bring the witnesses and the accused before the court, and unable to make locals, including the manorial lord, follow orders from the police. In 1804, after too many suspicious cases had surfaced, Baron Ungern-Sternberg was found guilty and sent to Siberia for deception in salvaging ships and for the killing of Captain Carl Johan Malm, a Swede who captained one of the baron’s ships.

#### WRECKING PEASANTS

The archival sources from the years under consideration provide no evidence of physical violence against shipwreck survivors; instead, a great number of lives were saved by coastal folk. By saving the cargo and the ship’s materials, the salvors at times lost their own lives or became sick, since they were poorly dressed for harsh weather conditions and had to flounder

65. EAA 30-1-9144, Treasury Official Reinhold von Richter to Estland Guberniia Administration, 2 December 1798.

66. Pearce, *Cornish Wrecking*, pp. 149, 156.

67. *Ibid.*, pp. 84, 89.

68. EAA 30-1-9144, Treasury Official Reinhold von Richter to Estland Guberniia Administration, 2 December 1798.

69. EAA 30-1-9179, p. 21, fiscal office of Estland to Guberniia Administration, 26 October 1804.

70. EAA 30-1-9090; EAA 30-1-9132 (*Frau Sophia*, 1793–1795).



in ice-cold seawater without boots. It required effort and time from coastal dwellers to sail or row with their fishing boats to wreck sites, ten or more kilometres from the shore, and to transport the salvaged goods by land to the towns lying dozens of kilometres away from their villages. Peasant carts and draft animals were not strong enough to manage metalware cases or a bale of cotton saturated with water and weighing as much as half a ton.

Archival evidence and considerably more oral tradition confirm that peasants were expecting ships to run aground. These stories were partly written by informants in the coastal communities, and partly recorded by collectors of oral tradition over a period of about one hundred years, from the mid-nineteenth to the mid-twentieth century. Wrecking was a way of life in coastal areas, but the oral tradition is not rich in such stories. Those organizing the collections initially included no questions about more recent times and probably did not regard such stories as genuine folklore at all. Narratives about wrecking are used in this article, although one should bear in mind that traditions collected several decades later might not adequately inform us about earlier times.

It cannot be determined how frequently grounded ships fell to wreckers. Although instances of theft are mentioned in the correspondence of commission agents and the reports of skippers, we find no traces of corresponding investigative proceedings in law institutions.<sup>71</sup> Rare contemporary reports mention, for example, that looting of ships was “a common occurrence”<sup>72</sup> and that news about wrecked ships caused “exhilaration” among the locals.<sup>73</sup> Old residents of Kihelkonna parish reminisced: “The men were especially attracted to accidents involving ‘the big ones’”,<sup>74</sup> i.e. ships carrying sugar, coffee beans, and cotton. Every year, dozens of ships would run aground there, and the coastal folk “rejoiced and grew affluent”.

Generally, the actual salvors were compensated as workers and either paid ordinary daily wages or the days spent salvaging were deducted from the workdays they owed the manor. It was very low remuneration, since agricultural wages tended towards a subsistence minimum. The situation changed with the abolition of labour rents, when the peasants could freely dispose of their labour and time. Then it was said that coastal dwellers on the west coast of Saaremaa were paid decent wages – either per hour, or per day – during salvaging operations.<sup>75</sup> Buxhoevden paid his men an

71. EAA 861–1–1226, ff. 37–48, Joseph Tatem to Estland Guberniia Administration, 4 June 1812; EAA 625–1–407, Schulz to Schmid, 3 October 1836.

72. EAA 1000–1–3925, ff. 67–72, burgomaster of Pärnu Heinrich von Harder to Pärnu town council, 18 August 1806.

73. EAA 625–1–495, lord of Tagamõisa manor to Schmid, 10 September 1853.

74. Estonian Cultural Historical Archives (hereafter, EKLA), f. 199, m. 36, Kihelkonna, pp. 41, 44, 79, 87–88.

75. Oskar Loorits, *Endis-Eesti elu-olu* (Tartu, 2002), pp. 304–308.

agreed remuneration. An extra payment was made to those who spotted the ship first and notified the manor. Manorial lords remunerated also the time spent keeping guard and transporting goods. If goods were pulled out of the water later, a finder's fee would be paid.<sup>76</sup> Until the end of serfdom, and even after that, the manorial lords sometimes forbade their peasants from participating in salvage operations in order to retain enough room to manoeuvre in their deals with skippers.<sup>77</sup>

Aware of their masters' ample incomes, the ordinary inhabitants of Saaremaa would often dream, even out loud and in the presence of a landlord's agent, how they themselves could salvage the whole cargo.<sup>78</sup> For the ordinary folk, the situation on the west coast of Saaremaa took a turn for the better only in the 1860s and 1870s. Two men of humble origin managed to get involved in the lucrative salvage business – which, until then, had been dominated by landlords – and became legends in their lifetimes. Peeter All (1829–1898) began to dive into the flooded holds and cabins to retrieve cargo and ship's stores from numerous ships lying on the seafloor and would sell the items to the upper classes in St Petersburg.<sup>79</sup> Karl-August Thom (1845–1927) came to Kihelkonna parish as a poor man. Aino Kallas, a prominent Finnish-Estonian author, whom Thom told about his life, wrote:

27-year old Toom (Thom) landed here, on the empty coast of Kihelkonna parish [...] Soon he had a stroke of rare luck. In the last days of December, a large English merchant vessel ran aground nearby. Toom was put in charge of the salvage work and removal of the cargo to the shore. The ship was carrying cotton in big bales. Having gone on board on 17 January, Toom disembarked only on 18 March and he did so already a rich man, with 25–30 thousand in his pocket [...] From then on, his luck never changed. He began building large three-mast ships that sailed all the way to America and back [...] He also continued his salvage activities.<sup>80</sup>

Thom succeeded in assuming key positions in the entire network: he managed to be a merchant, chief of the Vilsandi rescue station, and ship-builder and shipowner, all at the same time. These two success stories of Estonians demonstrate how profitable the salvage operations had been for manorial lords and commission merchants.

76. EAA 30–1–9393a, protocol of Saarte-Läänemaa county magistrate, 26 November 1837; EAA 625–1–503, Toll to Schmid, 17 April 1856.

77. EAA 30–1–9286 (*Neptunus*), Clayhills to Estland Guberniia Administration, 27 September 1823; county magistrate to Estland Guberniia Administration, 26 September 1823; EAA 30–1–9294 (*Maria Gustava*), Friedrich von Stackelberg to Saarte-Läänemaa county magistrate, 12 May 1824.

78. EAA 625–1–407, Schulz to Schmid, 3 October 1836.

79. [http://entsyklopeedia.ee/artikkel/all\\_peeter2](http://entsyklopeedia.ee/artikkel/all_peeter2), last accessed 27 September 2015.

80. Reet Truuväärt, "Kihelkonna aleviku kujunemine", in *Saaremaa Muuseum. Kabeaastaraamat 1995–1996* (Kuressaare, 1997), pp. 94–115.

Police and court records do not reveal whether peasants themselves considered their actions a crime, since the expressions and terms used in the protocols for these “crimes” were creations of the judicial system and moral rhetoric “from above”. Peasants knew fairly well that “appropriation of shipwrecked property” was an infringement of the law and punishable. Therefore, the ships were boarded when guards were not there, when “their own folk” kept guard, when the night watch could be bribed, under cover of the night, or when the wreck had already been abandoned. Wrecking was an ad hoc activity, with coastal peasants engaging in wrecking when the opportunity arose.

The language used in folk tradition indicates that, morally, common folk did not consider it a crime or contrary to communal values. “Acquisitiveness”, “pilfer”, “take ship’s stores and goods”, and “got from the sea” were terms used to describe such activities.<sup>81</sup> Old men gathered on the shore to see whether the sea had brought “some booty”; items on the beach were collected and claimed.<sup>82</sup> In the parish of Kihelkonna, wrecking was not seen as looting and theft.<sup>83</sup> If something were harvested from the water, it would be claimed that it had been there a long time (spoiled) and had very little value.<sup>84</sup> The idea of “Providence” – that whatever washes ashore belongs to the finder, which is notable in English cases – does not appear explicitly in the archival records.<sup>85</sup> The word *mereõnnistus* in Estonian, however, refers to the idea that common people viewed shipwrecked goods as “godsend gifts”.

In social history, wrecking is often treated not only as a chance to obtain badly needed metalware and various consumer goods or to consume exotic commodities – all beyond the material reach of the wreckers – it is also seen as part of the tradition of resistance by the poor to the laws and institutions of their rulers.<sup>86</sup> The few judicial materials preserved in Estonia give no basis for the assumption that either little remuneration or denial of a share in the salvage awarded to the landlord motivated the locals to take for themselves what they considered rightful payment. Oral tradition from Kihelkonna parish, however, mentions that if the salvors were not given their salary, they took from the ship what they could.<sup>87</sup>

If wrecking took place on the water, it was a collective effort and booty was divided equally between all the participants. Whenever the peasants

81. Loorits, *Endis-Eesti*, pp. 304–308.

82. EKLA, f. 199, m. 36, Kihelkonna, pp. 41, 44, 79, 87–88.

83. *Ibid.*, pp. 89–90.

84. EAA 968–1–2334, f. 6, excerpt from the protocol of Saaremaa county magistrate, 24 March 1838, f. 11, protocol of Saaremaa land court, 11 May 1838; EAA 968–1–2747, f. 7, protocol of Saaremaa land court, 10 May 1862.

85. Pearce, *Cornish Wrecking*, pp. 89–96.

86. Rule, “Wrecking and Coastal Plunder”, pp. 176–186; Pearce, *Cornish Wrecking*, pp. 97–101.

87. EKLA, f. 199, m. 36, Kihelkonna, p. 44.

were caught, they were more likely to call it a collective idea and scheme than to testify against their own community members. As a rule, the testimonies of the same community were usually consistent. Such solidarity, however, did not extend beyond local borders, as there were cases where peasants from rival manors were turned in or testified against: ship guards from Saaremaa turned in men from Hiiumaa, for example.<sup>88</sup> However, one envious coastal overseer of Atla, Pärt Ups, noticed some holes in the ice and discovered that yellow and orange cloth had been found; he demanded to see it, and wanted to keep a piece. Since his demands were not met, he complained to the lord of Atla manor, who then complained to the local magistrate.<sup>89</sup> Locals believed they were turned in for nothing but envy and malevolence.

Usually, it was the coastguard and seamen who notified the authorities about wrecking by peasants; local people and even manorial lords were reluctant to denounce peasants and cooperate with the police and courts.<sup>90</sup> Manorial lords preferred strict control and their own “on-the-spot” solutions to “external” meddling. If stolen goods were not found, peasants denied their involvement. But if goods were located or peasants caught red-handed, their typical excuses were that the merchandise was being taken to the manor or customs, it was a gift, it had been found on the beach earlier, or it was being bought from somewhere else. If no witnesses came forward, the court and police were unable to investigate the crimes being committed by landlords and peasants alike.<sup>91</sup>

A ship in distress offered potentially rich pickings in the form of salvage or goods washed up on shore to people who were often living on the margins of existence.<sup>92</sup> Archival evidence suggests that material poverty motivated wrecking peasants in Estonia. Although the incoming ships often carried precious goods, and bigger ships might have had valuable furniture, in many of the known cases coastal dwellers pillaged items of very little value – such as a short piece of wire, two small and three large blocks, two steps of a staircase and seven pounds of tin, a piece of sail, small pieces of woollen cloth. Metals and metalware from the wrecks and the cargo (sheet iron, iron bars, steel, copper) presented especially attractive targets for looting.

88. EAA 968–1–2747, ff. 5–13 v, protocols of Saaremaa land court, 10 and 24 May 1862.

89. EAA 968–1–2334, ff. 10–11, 13, protocols of Saaremaa land court, 11 May and 27 July 1838.

90. An exceptional case is the *Marshland*, 1871 (EAA 863–1–1959), ff. 53–55v, decision of the Läänemaa feudal court, 26 October 1871, ff. 61–62, decision of the Estland Supreme Land Court, 16 December 1871.

91. EAA 863–1–1949, ff. 6–8v (*Charlotte*, 1848), decision of the Läänemaa feudal court, 9 September 1849; EAA 863–1–1952 (*Hioma*, 1858).

92. Pearce, *Cornish Wrecking*, p. 37; Rule, “Wrecking and Coastal Plunder”, pp. 167–188; Duncan, “The Maritime Archaeology”, pp. 239–240.

Official documents indicate that coastal people were capable of pillaging only smaller and less precious items that could be exchanged for vodka, grain, etc., in the neighbourhood or in the peasant inn, or to be used in their own households or at sea.<sup>93</sup> They lacked business contacts with town merchants and the far-reaching distribution networks necessary to resell casks of wine, fruits, parts of steam engines, bales of cotton, factory equipment, etc. In contrast to England or Australia, wrecking peasants in Estland and Livland could not develop informal trade networks.<sup>94</sup> Local inhabitants were generally too poor to purchase wrecked goods. Silk scarfs and pieces of silk were not goods that peasants could normally afford and, therefore, gave grounds for suspicion.<sup>95</sup> In May 1862, Atla peasants stole fourteen fox furs from the steamer *Cumberland* and faced trial when Madis Teeäär went to town to find out about the price (one cost between eighty and one hundred roubles) and was immediately caught.<sup>96</sup> The lord of the manor, for his part, had successfully demanded the stolen merchandise be returned and did not officially press charges, as, for him, the peasant-fishermen were an important salvage team who, if found guilty, would be sentenced to prison and later sent to exile in Siberia. Not in all cases, however, did locals dare to seize only less valuable items. They also pillaged travel trunks and the belongings of the captain, sailors, and passengers,<sup>97</sup> or riggings, chains, metalware, iron bars, cotton, flax, ships' instruments, etc.<sup>98</sup>

Wrecking gave the common people an opportunity to obtain luxury goods.<sup>99</sup> Here, a story relating to the 1869 wrecking of the *Lion Hull* is illustrative, although this is the only such account known from the period under study:

A strong southwest storm erupted in October. You wouldn't believe what the sea brought to the shore. The waves started crushing the cabins on the deck, and soon the coast was covered with pieces from the ship – velvet sofas, silk cushions, blankets, chairs, stairs, and all kind of valuable things, a bale of cotton and doors,

93. EAA 968–1–2371; EAA 968–1–2747; EAA 30–1–9356; EAA 861–1–1226.

94. Rule, "Wrecking and Coastal Plunder", p. 173; Duncan, "The Maritime Archaeology", p. 246.

95. EAA 30–1–9356, Tallinn customs office to Governor of Estland, 22 February 1832; protocol of the police investigation, 25 February 1832.

96. EAA 968–1–2749, ff. 16, 30v, 43–44, protocols of Saaremaa land court, 24 September and 4 October 1862.

97. EAA 625–1–454 (*Mary*), Clementz to Schmid, 20 November 1847; EAA 30–1–9163 (*Jette*), decision of the Estland Supreme Land Court, 22 October 1801.

98. EAA 30–1–9353 (*Camperdown of Dundee*, 1831); EAA 863–1–1959 (*Marshland*), ff. 53–55v, decision of the Läänemaa feudal court, 26 October 1871, ff. 61–62, verdict of the Estland Supreme Land Court, 16 December 1871; EAA 30–11–761 (*Chance*), customs officer of Toolse to the head of Tallinn customs district, 7 October 1865.

99. Pearce, *Cornish Wrecking*, pp. 38–40.

stairs, chairs – all covered with shiny copper. Porcelain knobs, black horn knobs decorated with mother-of-pearl and set in mahogany, and all kinds of never before seen luxury. People almost drowned, too excited to get the sofa, so one after another they jumped into the sea to get their hands on silky cushions.<sup>100</sup>

Lordly patronage was of utmost importance when the crimes of peasant wreckers were discovered. There is some evidence in the archival sources that the landowners were not eager to turn in the peasants, did not testify against them during police investigations, and turned a blind eye,<sup>101</sup> or even justified their actions when items got lost or were taken. Serfs were the manorial lord's workforce, which was protected from being punished.<sup>102</sup> In 1816, Taube, the lord of Riguldi manor, told the men from Spitham village that they could keep six sacks (880 kilograms) of flour that they had taken and cancelled the coastguard's debt he owed to the manor in return for keeping quiet about the wrecking.<sup>103</sup> The lord of the manor justified his actions by claiming that investigating the theft of six sacks of spoiled flour would be a waste of time, and therefore he cancelled the debt. If coastguards complained, the landlords usually sided with the coastal dwellers, which can be read from folk texts from the west coast of Saaremaa: "A trial was held but no punishment was delivered: landowners acted as judges and they did not support the coastguards".<sup>104</sup> Coastguards, as well as their officers, could do nothing against the landlord. The manorial lord could condone the thefts by coastal dwellers only to a certain extent, since he was at risk of being accused by the skipper or charterer of inadequate supervision and received a smaller salvage reward as it was calculated by the value of the cargo. As can be seen from the correspondence with the Schmid trading house, and, to a lesser extent, from court materials, the manorial lord kept a vigilant watch over salvage operations to prevent stealing. He had the homes of peasants searched<sup>105</sup> and regularly checked the carts that transported goods; if infringements were discovered, there was no remuneration;<sup>106</sup> the stolen goods had to be returned<sup>107</sup> or were taken back

100. Pavel Lepp, "Viie miljoni eest varandust merepõhjas Hiiu Kalana randas", in Helgi Põllo (ed.), *Nad tegid toad tuule pääle, elud ilma ääre pääle* (Kärda, 2002), pp. 50–51.

101. EAA 30-1-9121 (*St Iores*, 1790); EAA 861-1-1226 (*African*, 1810); EAA 30-9-1043 (*Juno*, 1866); EAA 30-1-9351 (*St Peter*, 1830).

102. EAA 1000-1-3925, ff. 58–59, Lilienfeld to Pärnu county magistrate, 10 July 1806; EAA 30-1-9132, Ungern-Sternberg to Estland Guberniia Administration, 23 March and 24 March 1795.

103. EAA 30-1-9259, Governor-General to Estland Supreme Land Court, 29 March 1821; order of the Estland Supreme Land Court, 15 March 1821.

104. Estonian Folklore Archives (hereafter, ERA) II, 157, 417/8, Mustjala, Kugalepa, Aadu Väärt (1937); Loooris, *Endis-Eesti*, pp. 304–308, 311–312; EKLA, f. 199, m. 36, Kihelkonna, p. 44.

105. EAA 625-1-398, Schulz to Schmid, 16 September 1832; EAA 625-1-408, Schulz to Schmid, 23 October 1836.

106. EAA 625-1-445, Saaremaa county magistrate to Schmid (undated).

107. EAA 968-1-2749, f. 5, protocol of Saaremaa land court, 17 September 1862.

and the guilty parties flogged.<sup>108</sup> In other situations, landowners and their agents (steward, coastal overseer) might turn a blind eye to wrecking, treating it as part of the so-called agreement, since daily wages during salvation operations did not exceed the usual rate. Or perhaps the agents saw it as hush money in return for the deceptions and thefts of manorial lords, something that peasants were well aware of while following the orders from the manor.

### CONCLUSIONS

Three broad modes of salvaging and wrecking thus emerge depending on the landlord-peasant relationship. In Hiiumaa, the Ungern-Sternbergs held on to the most advantageous part of the coastline until the early twentieth century. They had strong and effective ties with the commission agent Clayhills, the county magistrate, and the courts. The manor's pressure in the salvage process and its control over wrecking were substantial: the lord of the manor or his agents directed the salvage operations, while the coastal folk went out to sea whenever ordered, with the lord of the manor then appropriating the booty and receiving the salvage reward.<sup>109</sup> By law, the looters were refused a reward; hardly any landlord was convicted. Sometimes, however, the manorial lord allowed the folk to pick a few items.<sup>110</sup>

The second mode of salvaging and wrecking occurred in the Tagalaht Bay coastal areas, where the elements of cooperation were much stronger than on Hiiumaa, where mighty landlords controlled things. Here the coastline was divided among several manors – most of them state-owned and thus with constantly changing tenants – with the pressure exerted by the manorial lords also being less, as on such manors the demesne was quite small and the peasant-fishermen were freer to act. This relative freedom is reflected in oral tradition. The people went out to sea on their own. “The old man remembers that when the fog came down, there would be wrecks here and there in the shallow waters. You take your pick of the most impressive-looking one and go on board. The baron's word was still the law: and now, lads, hack down the masts!”<sup>111</sup> Buxhoevden, the lord of Tagamõisa manor, was helpful when the wreckers were caught by the coastguard. The baron would go to the coastal chief and say: “Release my men at once!”<sup>112</sup> And then the men would be released right away.

108. EAA 861–1–1226, ff. 37–48, cargo owner Joseph Tatem to Estland Guberniia Administration, 4 June 1812.

109. See also ERA II 189, 150/1, Reigi khk, Jakob Liiv (1938), in Loorits, *Endis-Eesti*, p. 313; EKLA, f. 186, m. 36:5, Pühalepa 1893, pp. 195–202, in Loorits, *Endis-Eesti*, pp. 332–333; EKLA, f. 199, m. 8, Reigi and Pühalepa 1924, pp. 38, 61; P. Lepp, “Kallis varandus Hiiusaare noordipool külges merepõhjas”, in Põllo, *Nad tegid toad*, pp. 52–53.

110. EKLA, f. 199, m. 8, Reigi and Pühalepa 1924, p. 38.

111. EKLA, f. 199, m. 36, Kihelkonna, pp. 89–90.

112. Loorits, *Endis-Eesti*, pp. 304–308.

In Vormsi, the lord of the manor deceived the skippers and practised rescue “against the will”. Stackelberg “did not like the truth”.<sup>113</sup> The peasants were more independent than in Hiiumaa and would sometimes ignore the lord’s prohibition to pillage a particular ship. Vormsi has similarities with both Saaremaa and Hiiumaa. Although the locals often had conflicts with the manorial lord in several other matters, they did not openly confront him and did not turn on him during investigations with regard to wrecking and deceptions. Their partnership in wrecking ships worked out well.

The third mode existed on a few small islands such as Ruhnu, Osmussaar, and Naissaar, where there were either no manorial lords, or the lords who “controlled” them were unable to control everything. The peasants would go salvaging<sup>114</sup> and wrecking on their own, often evading the attention of the courts, for instance when going out to sea for long periods to hunt seals.

In the well-developed manorial system, the authorities possessed effective means to discipline the coastal peasants, and thereby kept popular violence at bay. The plundering of wrecks once they were ashore was rare, and killing half-drowned survivors to ensure that there were no witnesses is unknown during the period studied here. This can be attributed not so much to the tightening of the criminal justice system – that is, both jurisdiction and actual verdicts – but to the nature of peasant-landlord relationships. In situations where landlords were police, local judges, and organizers of salvage (and thus entitled to a salvage reward), coastal folk could steal only a limited amount of goods, with little value, to an extent that did not harm the landlords’ interests.

Wrecking distressed ships was an economic resource for both peasants and landowners, and so they often acted together. The involvement of manorial lords ranged from turning a blind eye to full-scale involvement. In such a partnership, the position of the manorial lord vis-à-vis the peasants was, of course, coercive, because until the abolition of serfdom the peasants were the landlords’ property, and even in the post-emancipation period landlords kept their police, judicial, and economic power over the peasants. Whatever their relationships were in other matters, with regard to wrecking the custom of reciprocity almost never broke down – both parties were reluctant to cooperate with county magistrates, judges, and coastguards and effectively outmanoeuvred them in most cases. Silence and denial from landlords, and testimonies that rarely helped the case along, show their patronage towards their peasants. While wrecking, peasants were concerned mainly with feeding their families, whereas the landlords’ primary

113. EAA 30-1-9351, Saarte-Läänemaa county magistrate to Estland Guberniia Administration, 24 March 1831.

114. Carl Russwurm, *Eibofolke oder die Schweden an den Küsten Ebstlands und auf Runö* (Reval, 1855), pp. 43-45; EAA 30-1-9250 (*Maria*, 1814; *Carolina*).



concern was making fortunes. Peasants had to acquiesce in very little because, under manorialism, they were not masters of their own labour, and they had neither freedom of movement, nor the social and economic capital required to enter into direct deals with skippers.

Aristocratic control of crime meant that the balance between legal and illegal activities was dependent on the personal qualities of the landlords, and peasants were under their control by having to follow arbitrary orders – provide help to a ship in distress, or not; do it promptly, or delay the process; steal, or not, for the manor and its agents; ignore and threaten customs officials, or not. The landlords' oppressive and exploitative behaviour became possible because the many different means by which justice was shaped were local and decentralized until the police and court reforms in the late 1880s. The Baltic German aristocracy usually got their way in court. A large salvage reward for landlords, of one sixth to one quarter of the value, severe penalties for peasants caught wrecking, and, most of all, strict control by manorial lords prevented common folk from wrecking, but they did not mean safe passage for skippers and cargo owners, whose merchandise suffered due to the different opportunistic means and deceptions engineered by manorial lords. These methods increased the already large salvage reward, which was earned by peasants, who salvaged and used their own boats and equipment, kept guard, and transported the cargo for meagre wages. The landlords' large profits from salvage operations and opportunistic activities are further confirmed by the fact that estates where maritime accidents were common were actually very stable (Hiiumaa, Vormsi, Dundaga), as the manors did not change hands but instead stayed in one family.

Exploitation by landlords ensured that both salvage provided by the law as well as most wrecked goods seized illegally went to the landlords, and the cooperation between the two parties in both activities was mostly of a coercive nature. When the peasants became increasingly more independent in the second half of the nineteenth century, they preferred wrecking or salvaging on their own to cooperation with landlords. During the period under review, however, they could hardly manage without the patronage and tutelage of landlords, especially in the face of hostility from state functionaries (coastguards, customs, and police) and courts of justice.

#### TRANSLATED ABSTRACTS FRENCH – GERMAN – SPANISH

Kersti Lust. *Les paysans pillent et les propriétaires saouvent – ou vice-versa? Le pillage dans les pays baltes de l'Estonie et de la Lituanie, 1780–1870.*

Cet article est une étude de cas sur le pillage, fondée sur une base de données de centaines de naufrages dans ce qui est aujourd'hui l'Estonie, de 1780 à 1870. Par une

analyse qualitative de sources narratives, il examine les activités de pillage de seigneurs fonciers et de leurs paysans. Contrairement à la tradition érudite internationale, qui considéra le pillage comme une activité de gens ordinaires, cet article met en relief les activités trompeuses et opportunistes des seigneurs fonciers qui furent chargés d'appliquer la loi au niveau local en exerçant des fonctions policières et judiciaires mais qui, dans le même temps, profitèrent largement du pillage. L'article oppose ceci aux possibilités qu'avaient les paysans côtiers de piller pour leur propre profit. Dans le pillage et la récupération, les trois éléments caractéristiques des relations entre paysans et seigneurs – l'exploitation, le partenariat et le patronage – apparaissent. Par contraste avec des études qui concentrent sur les tensions entre les paysans et leur seigneur dans des régions dominées par la seigneurie, cet article avance que, dans le pillage, leur collaboration se poursuivit apparemment sans beaucoup de conflit durant cette période.

Traduction: *Christine Plard*

Kersti Lust. *Strandraubende Bauern und bergende Grundherren? Strandrecht in den russischen Ostseeprovinzen Estland und Livland, 1780–1870.*

Dieser Beitrag ist eine Fallstudie zum Strandrecht, beruhend auf einer Datenbank zu hunderten von Schiffbrüchen, die sich zwischen 1780 und 1870 im heutigen Estland ereigneten. Mittels einer qualitativen Analyse narrativer Quellen werden die auf dem Strandrecht beruhenden Aktivitäten sowohl der Grundherren als auch ihrer Bauern untersucht. Entgegen einer international verbreiteten, traditionellen Forschungsmeinung, derzufolge die Aneignung von Strandgut eine Tätigkeit gewöhnlicher Leute war, wirft der Beitrag ein Licht auf die betrügerischen und opportunistischen Aktivitäten der Grundherren. Diese waren einerseits für die Durchsetzung der Gesetze auf lokaler Ebene verantwortlich, etwa indem sie polizeiliche und gerichtliche Funktionen übernahmen, sie profitierten aber andererseits auch im großen Maßstab von der Aneignung von Strandgut. Im Beitrag wird dies mit den Gelegenheiten verglichen, die sich aus dem Strandrecht für die in Küstennähe lebenden Bauern ergaben. In Strandraub und Bergung geben sich die drei charakteristischen Aspekte des Verhältnisses von Bauern und Grundherren zu erkennen: Ausbeutung, Partnerschaft und Protektion. Anders als Untersuchungen, die sich auf die Spannungen zwischen Bauern und Grundherren konzentrieren, wie sie sich in von der Grundherrschaft bestimmten Regionen darstellten, wird im Beitrag die These vertreten, dass die Zusammenarbeit beider Gruppen im Untersuchungszeitraum eine weitgehend konfliktfreie war.

Übersetzung: *Max Henninger*

Kersti Lust. *Campesinos 'desguazadores' y señores rescatadores – ¿o viceversa? La práctica del desguace en las provincias bálticas rusas de Estonia y Livonia, 1780–1870.*

El presente artículo es un caso de estudio sobre la práctica del desguace, elaborado a partir de una base de datos de naufragios que ocurrieron en lo que hoy en día es Estonia, entre 1780 y 1870. A partir de un análisis cualitativo de las fuentes narrativas,

se examinan las actividades tanto de los señores feudales como de sus campesinos. De forma contraria a lo que la tradición académica ha venido sosteniendo, que considera el desguace de los barcos naufragados como una actividad propia de las capas más bajas de la población, en este artículo se aporta luz sobre las actividades engañosas y oportunistas de los señores feudales. Estos fueron responsables de hacer cumplir la ley a un nivel local mediante el desarrollo de las funciones de policía y de justicia pero, al mismo tiempo, se beneficiaron de los desguaces de forma considerable. En el artículo se contrasta este aspecto con las oportunidades de desguazar que tenían los campesinos de las regiones costeras para su propio beneficio. En las prácticas de desguace y de rescate se nos muestran los tres elementos característicos de las relaciones entre campesinos y señores –explotación, colaboración y patronazgo–. En contraste con los estudios que se centran en las fricciones entre los campesinos y sus señores en regiones dominadas por el feudalismo, en este artículo se sostiene que a lo largo del periodo la colaboración entre ambos grupos se mantenía sin demasiadas situaciones conflictivas.

Traducción: *Vicent Sanz Rozalén*