

GASPÉ OF YESTERDAYSHIPSHAPE

Seven accounts by the men
who went down to the sea
in the days of sail.

KEN ANNETT

SHIPSHAPE- ARBITRATION AND PROTEST

Seven 19th century accounts from Gaspesia in which the principal appearers are:

- . John Boyle. Co-owner of the Gaspé schooner, MARY BOYLE.
- . Joseph Babin the Elder, Ship-builder of Bonaventure.
- . James Carnegie, Captain of the Brig ALEXANDER.
- . Henry Purdy, Captain of the Brig RESOLUTION.
- . Jean-Baptiste Mectien, Captain of the Schooner ST.PIERRE.
- . John Huelin, Captain of the Barque H.B.
- . Edward LeBrun, Captain of the Brigantine G.D.T.

and reference is made also to:

- . Dr.Eileen Reid Marcil, Author of the CHARLEY-MAN.
- . John Goudie and John Nunn, Quebec Shipbuilders.
- . Peter Cullen, John Cullen and Kenneth McKay.
- . William Chatburn, Ship Carpenter of Bonaventure and Pierre Poirier.
- . Captain Charlemagne Arbour, Bonaventure Pilot.
- . Captain William Bowman of Bonaventure.
- . James Sherar, Master Shipbuilder of Cox Township.
- . John MacLean of Richibucto, N.B. and William Cuthbert, Merchant, of New Richmond.
- . Joseph Dion and Francois Brochu of the Schooner ST.PIERRE.
- . Alexander McClelland, Plasterer and Romain Joseph, Farmer of New Carlisle and Paspebiac respectively.
- . Moses Gibaut and George Ahier of Paspebiac.
- . John LeDain, Wm. Lafoley, Peter LeMarquand and James Veronnet of the Barque H.B. of Jersey.
- . Alfred LeBoutillier and Thomas Whitton of Paspebiac.
- . John Couteur LeMoignan, Thomas LeBrocq and John Norman of the Brigantine G.D.T. of Jersey.

SHIPSHAPE- ARBITRATION AND PROTEST

DATE- 1815, December 15th.

VESSEL- Schooner "MARY BOYLE" of Gaspé.

OWNERS- John Boyle and Brothers of Gaspé.

DOCUMENT- Arbitration Bond by Felix Tetu, Notary Public, between John Boyle and John (Jean) Denoyé. Witnessed by J.Belanger, Notary Public.

BACKGROUND- The schooner "MARY BOYLE" had stranded on the Point St.Valier some six leagues below the Port of Quebec. John Boyle, acting on behalf of Boyle Brothers Company of the South-West Arm of Gaspé Bay had engaged Jean Denoyé, ship-carpenter of the Port of Quebec to make such repairs to the stranded vessel as necessary to bring her to the Port of Quebec. Denoyé had engaged seven ship-cartenters and moved them down river to the stranded schooner in two boats.

DISPUTE - The cost of the repairs made to the "MARY BOYLE" by Jean Denoyé and his crew was disputed by Boyle Brothers.

THE BOND- To arbitrate the dispute the Bond provided that the prominent Quebec shipwrights, John Goudie and John Munn provide their expert opinion.

[The careers of these chosen arbitrators have been traced in the recently published history of ship-building in Quebec - "THE CHARLEY-MAN" by Dr.Eileen Reid Marcil.

SHIPSHAPE - ARBITRATION AND PROTEST

- DATE - 1826. December 21st.
- VESSEL- A Brig of 150 tons under construction at Bonaventure by Joseph Babin the Elder, ship-builder, for Peter Cullen, Merchant of Bonaventure, absent from the District but represented by his Agent, Kenneth McKay.
- DOCUMENT - A Deed of Protest by Joseph Babin the Elder drawn up by Martin Sheppard, Notary Public and witnessed by Pierre Poirier and William Chatburn.
- BACKGROUND - Joseph Babin the Elder had agreed to build the 150 ton Brig in accordance with an agreement made with Peter Cullen and witnessed by Justices of the Peace James Day and William Fruing. The completion date was to be May 15th.,1827.
- On his part, Peter Cullen agreed to pay Joseph Babin the Elder in cash and goods equal in amount to the sum of £ 5 s.5 for each and every ton of the Brig - with payments scheduled as follows:
- * May, 1826 goods and provisions to the amount of L 250.
 - * July,1826, cash or Bills on Quebec for £ 50.
 - * Oct. 1826, cash or Bills on Quebec for £ 150.
 - * Feb. 1827, cash or bills on Quebec for £ 50.
 - * May. 1827, merchandise to the amount of £ 250 and whatever balance might remain due.
- THE PROTEST "...Whereas the said Peter Cullen hath made default... inasmuch as the said Joseph Babin the Elder hath only received sundry articles and provisions to the amount of £ 193 s.7 p.7 in lieu of the aforesaid several sums which were to have been paid unto him...he finds himself unable and incapable to proceed in the construction of the said vessel and in the completion of the same..."

STATEMENT
OF AGENT -

To all which the said Kenneth McKay made answer that:

"Mr. Peter Cullen is at present absent from the District and I have no property belonging to him or to the concern of John Cullen of Liverpool in England to supply or give to Mr. Joseph Babin the Elder".

NOTARIAL
PROTEST -

"Wherefore I, the said Notary Public do most solemnly protest against the said Peter Cullen and all others whom the same shall or may in any wise concern for all delays, detentions, losses, damages, injuries, costs, expenses and interests which the said Joseph Babin the Elder may or can already have suffered by reason of the default by the said Peter Cullen..."

SIGNATURES -

The document bears the actual signatures of the witnesses, Pierre Poirier and William Chatburn but that of Joseph Babin the Elder bears his X mark

SHIPSHAPE - ARBITRATION AND PROTEST

DATE- 1827. August 1st.

VESSEL- The Brig "ALEXANDER" of 141 tons.

MASTER- Captain James Carnegie.

DOCUMENT- Deed of Protest drawn up by Martin Sheppard, Notary Public.

BACKGROUND- In the month of June, 1827 the Brig "ALEXANDER" had loaded a full cargo of timber at "Jacquette River", New Brunswick on Bay Chaleur. On June 12th the Brig sailed for Aberdeen, Scotland but meeting with a violent gale at the mouth of Bay Chaleur with heavy sea and fog was obliged to turn and run for shelter in the harbour of Bonaventure, Gaspesia.

On June 18th a gale from the West North West of such violence that the best anchors and cables were unable to hold drove the Brig on the rocks of the Pointe des Echouris to the East of Bonaventure Harbour and damaged the hull. The vessel was surveyed on June 19th by William Bowman, Master Mariner and Shipbuilder and William Chatburn, Ship Carpenter, both of Bonaventure, who recommended that the vessel be lightened of its cargo and brought into safe harbour so the damage could be better ascertained. This proved to be a difficult task and despite the co-operation of Captain Charlemagne Arbour, the usual Pilot for Bonaventure the Brig struck on a sunken bar or bank at the harbour entrance and could not be removed. She was declared a complete wreck by the above-mentioned Surveyors together with James Sherar of Cox Township, Master Shipbuilder.

PROTEST The formal PROTEST absolving the Master and Crew of responsibility was witnessed by John McNair of Bonaventure, John MacLean of Richibucto, N.B. and William Cuthbert, Merchant of New Richmond.

SHIPSHAPE - ARBITRATION AND PROTEST

DATE- 1829. Sept.16

VESSEL- The Brig "RESOLUTION" of the Port of Workington, England. 138 tons.

MASTER- Captain Henry Purdy, Master Mariner.

DOCUMENT- Deed of Protest drawn up by Martin Sheppard, Notary Public.

BACKGROUND- The "RESOLUTION" sailed from the Port of Workington, England (entrance of Solway Firth) on July 29th to Bonaventure, Gaspesia. The voyage was normal until August 12th when in latitude 49:43 the vessel ran into a heavy gale and waves of such force that two stanchions were broken and the hold took in ttwo feet of water. A second gale hit on September 7th and the crew worked hard to keep the Brig afloat until Bonaventure harbour was reached on September 15th. There, a third gale drove the "RESOLUTION" from her anchorage unto the shore.

PROTEST- To protect himself and his crew Captain Purdy lost no time in having Martin Sheppard, N.P. draw up a Deed on Sept.16th.,1829

SHIPSHAPE - ARBITRATION AND PROTEST

DATE- 1847. November 20th.

VESSEL- The Schooner "ST. PIERRE". 25 tons.

CREW- The Master - Jean-Baptiste Mectien
The Mate - Joseph Dion
Seaman - Francois Brochu

DOCUMENT- Deed of Protest drawn up by Martin Sheppard, N.P.

BACKGROUND- On November 8, 1847 the schooner "ST. PIERRE" finished loading 100 barrels of green cod at Petit Rocher, N.B. on Bay Chaleur and sailed for Quebec.

On November 15th off Fox River the vessel ran into a violent N.W. gale with heavy sea and was obliged to lay to for three successive days. The vessel began to leak. On the fourth day the wind suddenly veered round to the North-East with thick snow. An attempt was made to approach the shore and seek shelter but without success. The vessel strained and began to take on more water.

It was decided to try to return to Bay Chaleur and after great exertion the "ST. PIERRE" reached Paspebiac. There the cargo was unloaded and put in storage.

EXTRACT- " Done and Sworn to at New Carlisle in the County of Bonaventure and District of Gaspé by the said Appearers save and except the said Francois Brochu who, having declared not to know how to write or sign hath made his ordinary mark, being a cross, the whole in the presence of Alexander McClelland of New Carlisle, Plasterer and Romain Joseph of Paspebiac, near New Carlisle, Cultivateur."

SHIPSHAPE - ARBITRATION AND PROTEST

DATE- 1851. October 28th

VESSEL- The Barque "H.B." of Jersey. 226 tons.

CREW- MASTER- Captain John Huelin
MATE - John LeDain
CARPENTER- William Lafoley
SEAMWN - Peter LeMarquand
James Veronnent

DOCUMENT- Deed of Protest drawn up by Martin Sheppard, N.P.

BACKGROUND- As of Monday, October 26th.,1851 the Barque "H.B." lay at anchor at Paspébiac waiting to load 300 tubs of codfish to complete her cargo for Rio de Janeiro, Brazil, South America.

Monday, October 27th began with easterly wind and rain. In the afternoon the wind suddenly veered to West North West and increased in violence to hurricane force. Despite the deployment of four anchors the "H.B." drove ashore and ended up broadside in the surf on Paspébiac Point beach. With her deck broken, her rudder carried away and her hull buried in sand the vessel was irrevocably lost.

PROTEST All the above mentioned members of the crew of the ill-fated Barque, "H.B." signed the Deed of Protest which was witnessed by Moses Gibaut and George Ahier.

SHIPSHAPE - ARBITRATION AND PROTEST

DATE- 1863. November 2nd.

VESSEL- The Brigantine "G.D.T." of Jersey. 118 tons.

CREW- MASTER = Captain Edward LeBrun, Master Mariner.
MATE - John Couteur LeMoignan.
CARPENTER- Thomas LeBrocq.
SEAMAN - John Norman.

DOCUMENT- Deed of Protest drawn up by Martin Sheppard, N.P.

BACKGROUND- The Brigantine "G.D.T." left Isle au Bois in Labrador on October 3, 1863 with a cargo of codfish for delivery at Paspébiac.

On October 25th the wind increased to gale force with heavy sea. In a heavy pitch was carried away:

- . The jib boom and flying jib boom
- . The foretopmast.
- . The gallant mast and yards.
- . The topsail yard,
- . The main cross trees, main topmast.
- . The jib and flying jib guys,
- . The running rigging and main topmast rigging.
- . The martingales and stays, the jib and flying jib stays.
- . With considerable damage to the jib, flying jib and gallant sails.

The vessel reached Paspébiac on October 28th after the crew had worked hard to repair the damage to the masts, yards and rigging.

PROTEST- The Deed of Protest was witnessed by Alfred LeBoutillier, Merchant and Thomas Whitton, Farmer, both of Paspébiac.