

GASPÉ OF YESTERDAY

ST. JAMES CHURCH, CAPE COVE

1839 ORIGINS

More particularly the role of the
Cass family regarding the site for
the Church Building and Grave Yard.

KEN ANNETT

ST.JAMES CHURCH, CAPE COVE

ORIGINS-1839

PREFACE- This article of the "GASPÉ OF YESTERDAY" series concerns the origins of St.James Church,Cape Cove. In particular it will recall the part taken by members of the Cass family in providing the site for the Church building and adjacent Grave yard.

In its issue of April 24th.,1984, SPEC published the article "THE LOYALIST CASS FAMILY OF GASPEZIA".It recalled the story of Josiah Cass,1738-1804, a native of Connecticut, Master of Arts of Yale College, and Land Surveyor,who came as a United Empire Loyalist with his wife,Mercy Pomeroy and their family to Gaspesia on the Brig "ST.PETER" in 1784. Though Josiah subsequently moved to Upper Canada his son,Josiah,1761-1847, acquired a land grant of 600 acres at Cape Cove where he and his wife, Margaret Ferguson raised their family of five sons and four daughters. Two of their sons, Andrew born in 1784 and Josiah born in 1790 played a part in the account that follows. On a personal note,the youngest son, Daniel Cass, married Margaret Annett, daughter of my great-great grandfather,William Annett and my paternal grandmother. Jemima Cass Annett was a daughter of that marriage.

PERSONAGES The Rev.Edward Cusack had replaced temporarily the Rev.William Arnold for the period 1837 to 1843,his appointment being " for Gaspé Bay, Percé and parts adjoining." The Rev.William Arnold returned to Gaspé in 1843.His successor, in 1850 was the Rev.Francis De La Mare,

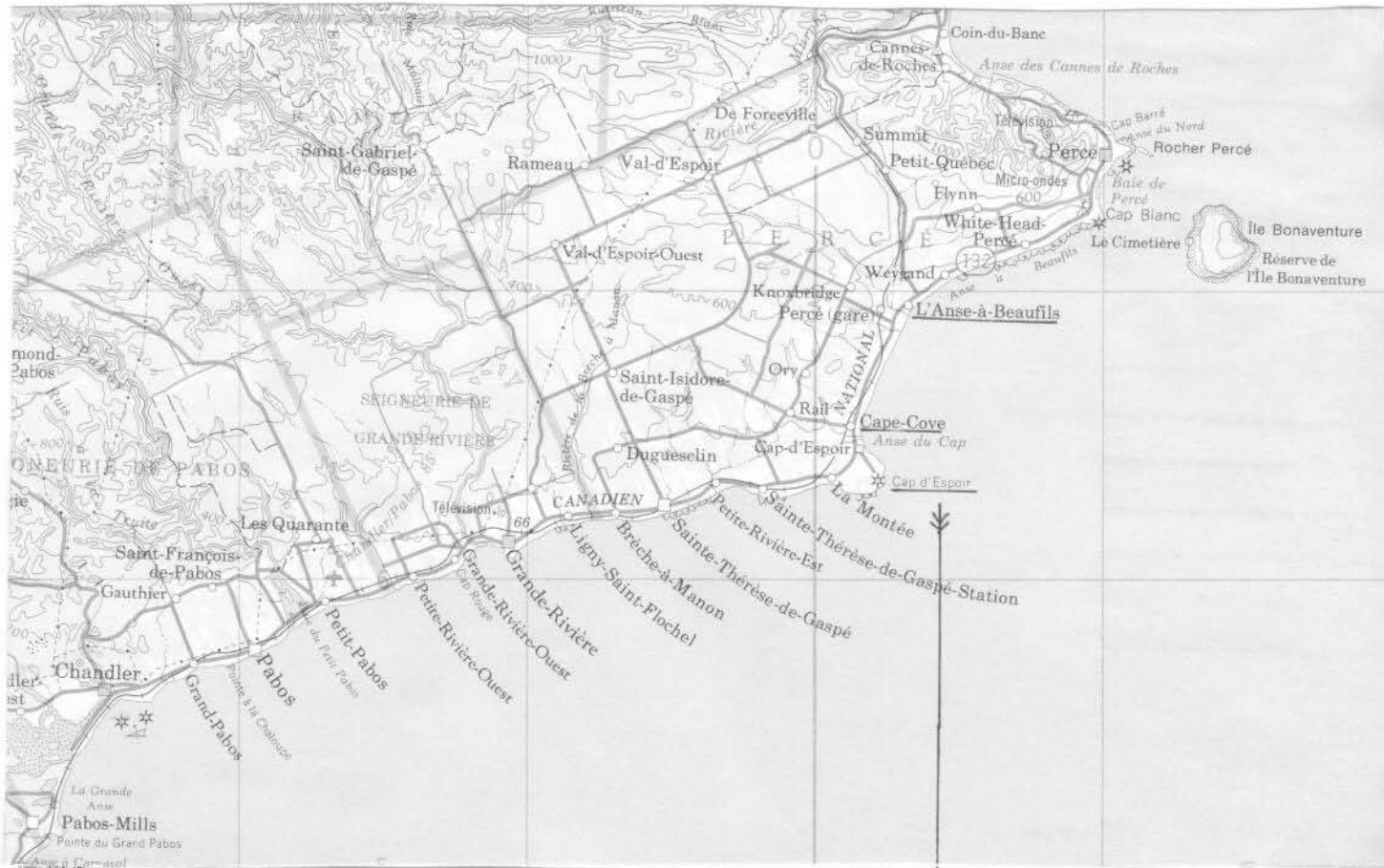
PERSONAGES

(ctd)

Bishop George Jehoshaphat Mountain has been mentioned in a number of "GASPÉ OF YESTERDAY" articles as he visited Gaspesia as Archdeacon several times from 1824 onwards. The title, BISHOP OF MONTREAL, dated from his consecration as suffragen Bishop in 1836, prior to the death of the second Lord Bishop of Quebec, Right Reverend the Honourable Charles James Stewart. Under that title he administered the Diocese of Quebec until the appointment in 1850 of the first Bishop of a separate Diocese of Montreal, Bishop Fulford. He was the third Bishop of Quebec and the second of the Mountain family to hold that office.

William Tilly of Cape Cove, who drew up the Deed that follows, was active and widely known in Gaspé as schoolmaster, catechist, and Justice of the Peace. The Rev. George Milne, during his travels as Rural Dean of Gaspesia, often stayed at the Tilly home and on one such occasion recorded that on February 28, 1859 he had married at the Cape Cove Church, Philip Beck, of Cape Desespoir, farmer and fisherman, son of John Beck, Esq., and Mary Ann Tilly of Cape Cove, daughter of William of the same, Esq., spinster, major, license and consent".

Alexander McNeil, one of the earlier Land Surveyors of Gaspesia, was of the same profession as Josiah Cass Sr. whose SURVEYOR'S MANUAL is extant and in the hands of Mr. C. R. Cass one of his descendants.



Black cape and beautiful beach at Cap-d'Espoir

5th December 1839

Bargain and Sale

Andrew Cass

to

Right Reverend

George Jehoshaphat Mountain

Lord Bishop of Montreal

On the Fifth day of December in the year of our Lord one thousand eight hundred and thirty nine,
 Before me, Wm Tilly Esq., one of Her Majesty's Justices of the Peace for the County of Gaspé in the Province of Lower Canada, Personally came and appeared and were absolutely present Andrew Cass of L'Ance au Beaufils, Fisherman and Farmer, OF THE ONE PART, and the Reverend Edward Cusack, Coast Missionary for the County of Gaspé, acting for the effect hereof, that is to say for and in the name of, and only authorized in this behalf, by the Right Reverend Father in God, George Jehoshaphat Mountain, Lord Bishop of Montreal, now residing at Quebec in the aforesaid Province of Lower Canada, OF THE OTHER PART, Which said parties did and do hereby severally declare and acknowledge and admit as follows, that is to say -

Whereas Josiah Cass Sr. of L'Ance au Beaufils was seized or possessed of a certain lot or grant of land at Cape Cove in the County of Gaspé as will more fully and at large appear by a reference to the Book of Gaspé Claims where the adjudication of the same is recorded, containing about Six Hundred acres or thereabouts on a Front of eighteen acres, bounded on the North by waste lands of the Crown, on the South by the sea shore, on the East by lot No. Sixteen the property of Andrew Ferguson and

on the West by lot No. Fifteen the property of James Lenfesty, Sr.

And whereas by a certain Procès-Verbal with a general agreement entered into after the granting and acquisition of the said land by the Commissioners for the adjustment of the Gaspé Land Claims, between Josiah Cass Sr., of the one part, and Josiah Cass Jr. and Andrew Cass, two of the sons of the said Josiah Cass Sr, of the other part, the said lot or grant of land of Eighteen acres in Front was regularly surveyed and divided into three separate lots or shares of 200 acres on a Front of six acres each, in manner following, that is to say: the last lot or No. 18 on the East of 200 acres on a Front of six acres, bounded on the East by No. nineteen, the property of Andrew Ferguson, was ceded to Josiah Cass Jr. and the second lot, on the West of the former containing a like quantity of land on a like Front, being the center lot called Lot No. seventeen became the property of Josiah Cass Jr. , and the third lot on the West of the two former, being lot No. sixteen, bounded on the West by lot No. fifteen, the property of James Lenfesty, Sr., and containing a further and like quantity of 200 acres on a Front of six acres was adjudicated and confirmed to Andrew Cass aforesaid and granted unto as will more particularly appear by reference to said acquisition lodged in the Protonotary's Office at New Carlisle and to said Procès-Verbal or Survey made by Alexander McNeil on the 5th day of December in the year of our Lord One Thousand Eight Hundred and Twenty Two.

And whereas the Doctrine and Discipline of the Church of England are professed and observed by many persons resident at L'Ance au Beaufils and Cape Cove aforesaid and the said Andrew Cass being moved in common with his neighbours by a zeal for the advancement of true religion, by virtue of a certain bargain or verbal agreement made on or about the 22nd day of November in the year of our Lord one thousand eight hundred and thirty eight, ordered to be measured

off out of the said lot or subdivision of land, near to a small stream of water called Peter's Brook, which runs into the sea near the Eastern boundary which divides the land of the said Andrew Cass from the land of his brother, Josiah Cass Jr. aforesaid, one acre of Ground, of a square form, for the purpose of erecting a Church thereon and for the including of a Grave yard or Cemetery to be used as a burial ground by the Ministers and Church Wardens of the united Church of Great Britain and Ireland, commonly called the Protestant Episcopal Church, and to be set apart by them from all profane uses and to be dedicated and consecrated to the Honour and Worship of God by a perpetual assignment for a Church and Church yard forever -

And whereas the inhabitants of Cape Cove, having full confidence in the probity and fidelity of the said Andrew Cass and in faith thereof have actually commenced the erection and building, on a part of the said acre of Ground or square piece of land, of a Church to the Honour of God and for the propagation of the Gospel, and the said Andrew Cass being willing on his part to confirm and make valid the aforesaid bargain or verbal agreement, hath agreed and do hereby agree to make the sale and conveyance of the aforesaid acre of Ground or square piece of land on which a Church is being erected by the Protestant inhabitants of Cape Cove unto the aforesaid Edward Cusack, now acting in this behalf on the part of the Lord Bishop of Montreal, for and in Seven Pounds current money of this Colony, the receipt whereof the said Andrew Cass doth hereby acknowledge and in consideration thereof doth Grant, Bargain, Sell, Assign, perpetually Make Over and Convey the aforesaid acre of Ground or square piece of land, being situated on the North side of the High Road leading to Percé, and near the bridge which crosses the aforesaid Brook, with a guarantee against all incumbrances,

mortgages, evictions, claims, dues and damages whatsoever, unto the said Lord Bishop of Montreal and his successors in office, being Protestant Bishops of the See of Quebec, or of any other See or Diocese to which the District of Gaspé may at any time hereafter be annexed, to be held by him and his successors in office as a place of Publick (sic) Worship, with Cemetery or Grave yard for the use of the united Church of Great Britain and Ireland, commonly called the Protestant Episcopal Church, forever.

To have and to hold, use and enjoy the aforesaid acre of land or square piece of Ground with all rights, members and appurtenances in any way thereunto appertaining and specially with the constant use of a road of access and egress of eighteen feet wide, leading from the Public Road aforesaid unto the said acre of Ground or square piece of land, for the perfect fulfillment of all the uses hereinbefore mentioned.

And further, he, the said Andrew Cass, doth hereby signal that in case he, his heirs or assigns shall at any time hereafter have occasion to dispose of the remainder of the said lot of land, or sell his interest in the remainder of the said lot called No. sixteen then he, his heirs and assigns shall at all times reserve and grant a preference unto the aforesaid Bishop of Montreal and his successors in office to such of the land as intervenes between this said acre of land or square piece of Ground and the sea shore, He, the said Lord Bishop paying for or causing to be paid for to the said Andrew Cass, his heirs and assigns, so much money as the same may be computed to be worth according to the terms of the Sale which he, the said Andrew Cass and his assigns might be enabled to make of the remainder of the said lot called No. sixteen as aforesaid.

And lastly the said Andrew Cass doth hereby declare that he hath good right, full power, lawful and absolute authority to make and execute the present Deed of Assignment and Transfer and doth hereby bind and oblige himself, his heirs, executors, administrators and assigns from time to time and at all times hereafter, upon every reasonable request and at the proper Call and Charges in the ---of the said Lord Bishop of Montreal and his executors and assigns, to make, sign and execute all such further Acts, Deeds and Assurances in the Law for the further better and more perfectly assigning and making over the said acre of Ground or square piece of land for the purposes hereinbefore mentioned, as by the said Lord Bishop of Montreal and his assigns or by his or their Counsel may carefully and reasonably be advised and required.

This done and passed at L'Anse au Beaufils in the House of the aforesaid Andrew Cass

IN WITNESS WHEREOF THE SAID ANDREW CASS AND EDWARD CUSACK, PARTIES HEREUNTO, AND THE SAID WITNESSES, HAVE SIGNED THESE PRESENTS, THE SAME BEING FIRST DULY READ ALOUD.

(SIGNATURES)

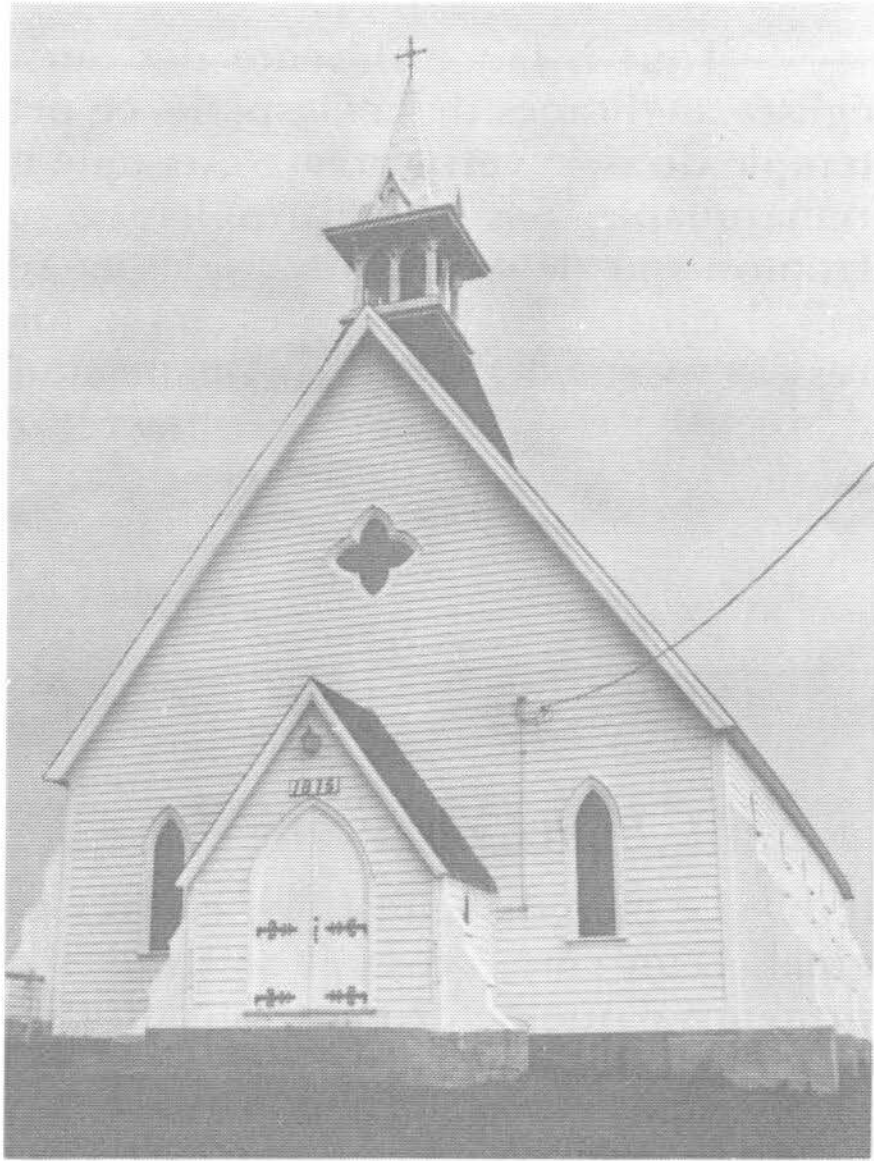
Josiah Cass, J.P.

Joseph La Terreur

Andrew Cass

Edward Cusack

Wm Tilly, J.P.



ST. JAMES - CAPE COVE