## GASPÉ OF YESTERDAY

1127

"BY STRESS OF WEATHER" \*\*\*\*\*\*\*\*\*

"Whereas Mr.William Arrowsmith, Master of the Brig MARIA of London, on a voyage from Québec to London, was on the ninth Day of December last, by stress of Weather and the bad and leaky condition of his said Vessel, obliged to run into this Harbour (Gaspé Basin) for shelter, where he has remained during the Winter..."

KEN ANNETT

"uncommand in a line of london, on an average from Quebec to london, easter to your popular inch last, to the bad and the bad and last, to load the bad and last, to load the bad and last, to load the bad and load the bad range bad only of the last search to run into this has never be been been and the basine here.

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## FOREWORD

To place in context this tale of the Brig MARIA it is relevant to recall some circumstances of maritime trade and travel in the year 1807. The rise of Napoleon to power in France and Europe and the military and naval struggle with Great Britain that ensued would be felt in distant Canada. Napoleon's BERLIN DECREE of 1806, defining and enforcing his CONTINENTAL SYSTEM of blockade against the British Isles interdicted sea-borne trade in general and, in particular as concern this tale, the flow of lumber from the Baltic to Britain. It was then that the British turned to their Canadian colony across the Atlantic to tap the immense resources of timber in the Maritimes and the St.Lawrence Valley. The cargo of lumber that the MARIA loaded at Québec for delivery to London was more than an ordinary commercial shipment - it represented vital material for a nation at war. Indeed, during the year 1808 which began with the MARIA in winter berth at Gaspé, Napoleon's career reached its true apogee and from then until 1814 - six dreadful years- his power was constantly on the wane.

## DEED OF PROTEST DISTRICT OF GASPEE. PROVINCE OF LOWER CANADA.

By this public Instrument of Protest be it known and manifest to all persons whom it may concern that on Wednesday the Ninth Day of December in the Year of Our Lord One thousand Eight Hundred and Seven, appeared personally before Hugh O'Hara, Esquire, one of His Majesty's Justices of the Peace for the said District (no Notary Public at Gaspe) William Arrowsmith, Master of Brig MARIA of London, William Hall, Mate, and Henry Rutherford, Carpenter, belonging to the said Vessel, who being sworn upon the Holy Evangelisls of Almighty God did solemly declare and say,

That they sailed in the said Brig, MARIA. from the port of Quebec on Sunday the twenty second day of November last at 8 A.M. on a voyage to London with a cargo of lumber

And that nothing material happened to the said Vessel until the 26 Day of the said Month, when she had got down the River St.Lawrence as far as the Island of Bic, where they anchored and put the Pilot on board a Brig bound for Quebec,

The latter part of these twenty four hours fresh gales from the Eastward and they found the said Vessel made much water, one pump almost constantly kept agoing,

On the 27 fresh breeses (sic) from the ESE found their leak or leaks increasing. On the 28th at Midnight strong Gales and high sea, the pump constantly going. At 7 A.M. more moderate, weighed anchor and proceeded down the River, Wind S.W. by S. Pumped ship every half hour,

On the 29 hard Gales from the N.N.W. and West with a very high sea. Cape Gaspe bearing S.W. by S. distant about 6 leagues,

One pump constantly going, the Ship's Crew refused to proceed on their Voyage, and they therefore hauled their Wind for the Harbour of Pictou, being the most likely place within their reach to get repaired, the Winds then from the N.N.W. to West, Bonaventure Island bearing S.W. by S. distant 7 leagues,

On the first day of December, Wind N.N.W. with a heavy sea, the pumps constantly going. On the 2nd, fresh breeses from the W.S.W. to S.S.W., the pumps going as usual. On the third the wind from N.N.E. to S.E., pump ship every half hour.

On the 4th came on an excessive hard Gale of Wind from the E.S.E. with a very heavy sea, the pump constantly going, which obliged them to bear up for the first port they could come to, they shipped some very heavy seas on Deck and the Crew being almost wore out with fatigue, the said Master considered it proper to use every means to get the Ship into some place of safety with the utmost speed.

On the 5th the weather more moderate, winds from N.N.W. to N.E., the Ship making as usual and being off Bonaventure Island, hoisted the Union Jack and fired a gun for a Pilot,

On the 6th got a Pilot on board who agreed to take the said Vessel into Gaspé, the Ship continuing to make a great deal of water and the Crew almost exhausted with fatigue and not being able to hoist in the Pilot's Boat they vared (sic) her a Stern by a Warp,

At 10 A.M. hard Gales from the N.E., the pumps going as usual. At 4 P.M. being off Gaspee Harbour hove to until Daylight, fresh Gales with very thick Weather,

At 10 A.M. hard Gales and thick Showers of Snow and finding it impossible to keep the Sea any longer, they were obliged to give the Ship a chance for the harbour, keeping the deep sea lead constantly going, the Wind still continuing to blow very hard with constant Snow Showers, by reason of which they unfortunately lost the Pilot's boat which broke away from the Warp with which she was towed a Stern,

At Noon saw the Land a head and being close to it let go the Anchor in 7 Fathoms of Water. At one P.M. more clear, found themselves within half a Mile of the North Shore, and prepared to get underweigh for the Bason, but a heavy Sea heaving in obliged them to cut from the Anchor to clear the Shore.

At 4 P.M. on going into the Bason the Ship took the Ground and a boat came off from the Shore to their assistance, the Ship still continuing to make the same quantity of Water as usual,

On the 8th with some difficulty cut a Channel through the Ice and got the Ship into Winter's Moorings.

In consequence of the above, the said William Arrowsmith has applied to me, the said Hugh O'Hara, Esquire, to make his protest and this public Act thereof, so that the said William Arrowsmith and all persons intrusted or concerned in the said Brig MARIA or her cargo may avail themselves accordingly as of right it may appertain.

And whereupon the said William Arrowsmith does Protest and I, the said Hugh O'Hara, Esquire, at the request of the said William Arrowsmith (no Notary public at Gaspe) do by these presents solemnly protest against the Winds, the Weather, the Seas - the leakings of the said Ship, the lateness of the Season or whatsoever else may have caused the above stated misfortune, so that all losses and damages may be recovered and had in due time and place as of right it shall appertain.

This done and Protested at Gaspee the seventh Day of December in the year of Our Lord One thousand eight hundred and seven.

We the said William Arrowsmith, William Hall and Henry Rutherford do all agree that the aforegoing narritive of circumstances and transactions on board the said Brig MARIA on her voyage from Quebec for London is strictly true and to which we have accordingly made Oath before the above mentioned Magistrate, Day and Date as above written.

(signed) William Arrowsmith
William Hall
Henry Rutherford

Whereas Mr.William Arrowsmith, Master of the Brig MARIA of London on a voyage from Quebec to London aforesaid was, on the ninth Day of December last by stress of Weather and the bad and leaky condition of his said Vessel obliged to run into this Harbour for shelter, where he has remained during the Winter, and he, the said Mr.William Arrowsmith has represented to me that he finds it impracticable to have a regular Survey held on his said Vessel at Gaspe as to effect which he would be necessitated to tear away some of the Plank and Sheathing so as to expose the Timbers to view, which in the present state of things he does not think would be prudent to do as their (sic) are neither Workmen nor Materials to be had here at the present moment to close and repair the breach should the Surveyors find the said vessel repairable,

Wherefore the said William Arrowsmith has considered it expedient for the benefit of all persons concerned or interested in the said Vessel, to endeavour to return with her to Quebec where all those matters can be regularly done and performed.

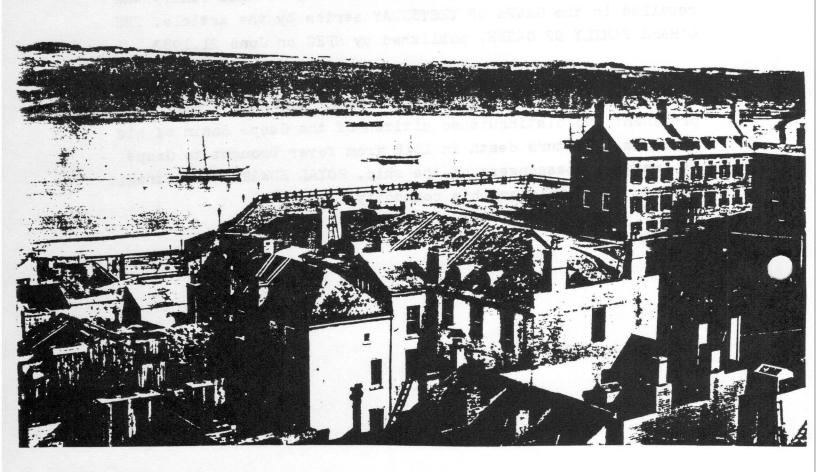
Given under my hand at Gaspe in the Province of Lower Canada the 9th Day of May 1808.

(signed) Hugh O'Hara

## HUGH O'HARA

The Gaspé Basin Magistrate responsible for the above DEED OF PROTEST with regard to the Brig MARIA, Hugh O'Hara, was a son of the Honourable Judge Felix O'Hara and his wife, Martha McCormack, pioneer settlers of Gaspé Basin. The story of this family was recalled in the GASPE OF YESTERDAY series by the article, THE O'HARA FAMILY OF GASPE, published by SPEC on June 21,1983.

As a Justice of the Peace, a Major in the Gaspé Militia and a Deputy Collector of His Majesty's Customs, Hugh O'Hara was a prominent and distinguished citizen of the Gaspé Basin of his day. His premature death in 1818 from fever brought to Gaspé by immigrant passengers of the ship, ROYAL EDWARD was a tragic loss to his family and his community.



THE OLD PORT OF QUEBEC IN THE DAYS OF THE SAILING SHIPS SHOWING THE CHATEAU ST-LOUIS, RESIDENCE OF THE GOVERNOR, ON THE SITE OF THE PRESENT CHATEAU-FRONTENAC HOTEL.

White Chas Bythis public histouring 449 the British Brotest be it behown and manufiel to all persons whom Of Lever lande Il may concern that in What usday the South Lay of AMON & Treenter in the four of l'ar love in thousand Eight humored and Seven, alepared besterally before Much I Maria Esquire one of His Musty's Sind of well's facto for the said I abriet in Notary Public at Gusta Vilillian Anowsmith citaster of Brige Harin of Louden Milliam Mall charle and Minny weather ford the funder belonging to the said lejsel, who being sween when the hely bearinge lists of allmighty God did a simila tooker and sing that Suggested in the said Brige therra from the frost. of Bucher on sunday the herety second day of Seventer hast at Chell on a veryage to London with a large of Lumber and that nothing malorial happened to the said legich until the De Dayofthe said Month, when C The had not down the Priver It Janvense as for as the Aland of Die , where they thickored and ful their 3 Wild on board a Brigonind to Quebec, the latter part of these wenty four hours bush Gales from the Endward and they found the said refer made much Water One pumpe almost constantly kept agoing On the 27 fresh breases from the & 11 & jound their Back or Leaks increasing - On the 20that Mednight strong Gales and high ha the frump constantly going at-7. t. Il more moderate weighed thickor and thomas down the River, Wind V. W. by I pumped Ship wery halfhour, Bu the 29 hand Gales from the Hill and WI W. On the 30th strong Gales from the VN Wands

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Fingh & Flara