

GASPÉ OF YESTERDAY

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"BY STRESS OF WEATHER"

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"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



"BY STRESS OF WEATHER"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 PROTESTDISTRICT 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 Evangelists of Almighty God did solemnly 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,

2.

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 breezes (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 breezes 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,

3.

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.

4.

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.

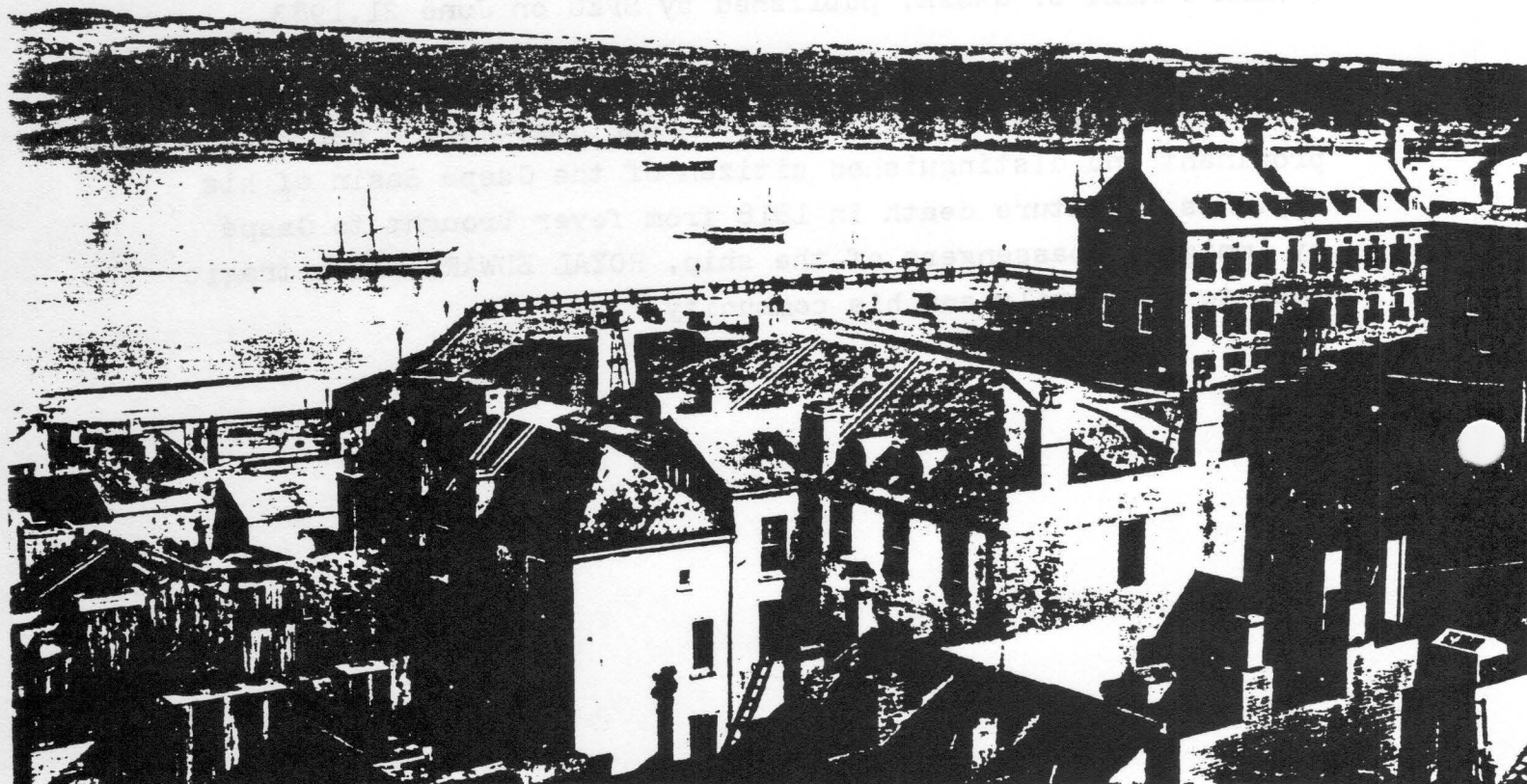
(signed) Hugh O'Hara

5.

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.



*District Court* By this public Instrument  
 we do hereby certify that it is shown 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 His Honor  
 the said District Judge at Quebec William  
 Snowsmith Master of Brig Maria of London, William  
 Mathews and Henry Southport Captains belonging  
 to the said vessel, who being sworn upon the Holy Evangel-  
 ists of Almighty God did solemnly declare and say  
 that they sailed in the said Brig Maria from the port  
 of Quebec on Sunday the twentieth day of November  
 last at 8 o'clock on a voyage to London with a cargo of  
 Lumber and that nothing material happened to the  
 said vessel until the 20<sup>th</sup> Day of the said Month, when  
 she had not seen the River St. Lawrence as far as  
 the Island of Sic, where they anchored and put their  
 Pilot on board a Brig bound to Quebec, the latter  
 part of the twenty four hours fresh Gales from the  
 Eastward and they found the said vessel made much  
 Water, One pump almost constantly kept going.  
 On the 27<sup>th</sup> fresh breezes from the E S E found their Leak  
 or Leaks increasing. On the 28<sup>th</sup> at Midnight strong  
 Gales and high Sea the pumps constantly going at  
 7 to 8 more moderate weather anchored and proceeded  
 down the River, Wind N. N. by S pumped Ship every  
 half hour, On the 29<sup>th</sup> hind Gales from the S W and  
 W S W. On the 30<sup>th</sup> strong Gales from the N N W and

*Mar 1807*

*1807*

*1807*

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West with a very high sea Cape Gaspe bearing S. W  
by S distant about 6 leagues. The pump constantly  
going, the Ships were refused to proceed on their  
Voyage, and they therefore hoisted their Wine for the  
Kitchens of Bizen being the most likely place

within their reach to get repaired, the Winds then from  
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 pump constantly going  
On the 2<sup>d</sup> fresh breezes from W. S. W to S. W the Pump  
going as usual. On the third the Wind from N, N, E  
to S E pump still every half hour. On the 4<sup>th</sup> came  
an excessive hard Gale of Wind from the E S E with  
a very heavy sea, the pump constantly going which ob-  
ged them to bear up for the first port they could com-  
e, they shipped some very heavy seas on Deck and the  
Crew being almost sore 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 5<sup>th</sup> the Weather more moderate,  
Winds from N. N, W to N E the Ship making as  
usual and being off of Bonaventure Island, hoisted  
the Union Jack and fired a Gun for a Pilot. On the  
6<sup>th</sup> got a Pilot on board who agreed to take the said  
Vessel into Gaspe, 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

Bout they were beat a Storm by a Warp; At  
 10 A.M. hard Gales from the N.E, the Pump going  
 as usual; At 4 P.M. being off Quissee Harbour Hood  
 too 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 chase  
 for the Harbour, heaving 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 beat a Storm;  
 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.  
 were clear found themselves within half a Mile of the  
 North Shore and prepared to get underweigh for the  
 River but a heavy Sea heaving on obliged them to cut  
 from the Anchor to bear the Shore; At 4 P.M. on  
 account the River the Ship took the Ground  
 and a Boat came off from the Shore to their assistan-  
 ce, the Ship still continuing to make the same ground  
 way of Water as usual - In the Evening some difficulty  
 cut a Channel through the Ice and got the Ship in  
 Winter's Moorings

In consequence of the above the said  
 William Anson Smith has applied to me the 10

Hugh C. Harris saunt to make his protest on  
 this public Act therefore that he the said W<sup>m</sup>  
 Arrowsmith and all persons to which it concerns  
 in the said Adventure or in any way and their  
 heirs accordingly as of right they may presume —  
 do hereby certify the said William Arrowsmith  
 his Heirs and the said Hugh C. Harris Esq<sup>r</sup>  
 at the request of the said William Arrowsmith  
 Secretary public at his private and these presents a true  
 protest against the Winds the Weather the Seas — the  
 Leakings of the said Ship, the Injuries of the Season  
 or whatever else may here cause the above stated  
 Misfortunes, so that all losses and damages may be  
 received and had in due time and place as of right  
 it shall appertain

Witness our and Protested at Ipswich

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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 Putterford do all agree that the  
 aforesaid narrative of circumstances and transac-  
 tions on board the said Prize Maria on her voyage

from Tulee for London is strictly true and to which  
we have accordingly made Oath before the above men-  
tioned Magistrate Day and Date as above written

William Amersmith  
William Flax  
Henry Hutchinson

Whereas Mr William Amersmith Master of  
the Brigantine of London on a Voyage from Tulee  
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 du-  
ring the Winter and he the said Mr William Amers-  
mith has represented to me that he finds it imperi-  
ous to have a regular Survey held on his said  
Vessel at Tulee, as to effect which he would be  
obliged 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 seem  
to prudent to do, as there are neither Workmen nor  
Materials to be had here at the present moment

to close and repair the breach should the Surveyor  
find the said report reasonable. It therefore the  
William Brown with his consent and authority  
for the benefit of all persons concerned or interested  
in the said report to endeavour to procure with him  
to Quebec where all these matters can be regular  
in done and performed

Given under my hand at Quebec in  
the Province of Lower Canada the 9<sup>th</sup>  
Day of May 1808

Hugh O'Flaherty