

*Province of Nova-Scotia,
Halifax, ss.*

SAMUEL OAKS, of Halifax, in the Province of Nova-Scotia, Trader, maketh oath and saith,—that he, this deponent, sailed from Halifax aforesaid, on the fifteenth day of April last past, in the schooner Mary, of Arichat, of the burthen of eighty tons or thereabouts, whereof Peter Petitpas was master and owner, bound for the port of St. John's, in the Island of Newfoundland.

That the said vessel was chartered by George Handley, of Halifax, Merchant, to take a cargo for the said Port of St. John's, and afterwards to proceed to the Bay of St. George's, in the said Island, on a Herring fishing voyage.

That this deponent arrived at the port of St. John's on the twenty second day of April; and after landing the said cargo, proceeded on the first day of May for the said Bay of St. George's, provided with all things necessary for a fishing voyage.

That on arriving off the said Bay, the said schooner Mary was prevented from entering by vast quantities of ice, with which the Bay was incumbered, and the said vessel proceeded to the Magdalen Islands, in the Gulf of St. Lawrence, in further prosecution of the said fishing voyage, and arrived in harbour Le Bear, on the fifteenth day of May last, in which harbour were upwards of eighty sail of American vessels, and about ten sail of British vessels; on which day this deponent, with others of the crew of the said schooner Mary, set the nets. On the morning of the succeeding day, the nets were hauled, and a quantity of fish taken.

At nine o'clock, A. M. the crew of the said schooner Mary again proceeded to set the nets, when two men of the crew of an American vessel, were observed taking away the net moorings, belonging to the said schooner Mary.

That the Americans had two moorings in the boat, and had cut others, by which act a mooring and killock were lost.

This deponent further saith, that the said Americans declared that no nets, belonging to the said schooner Mary, should be set in that place, or if they were, they, the said Americans, would cut them away. And stating to the crew of the said schooner Mary, that the nets, belonging to the said schooner might be set at a place in the harbour, to which they pointed, where few or no herrings could be obtained.

This deponent further saith, that fearing violence in the lawful prosecution of their business, at an Island belonging to His Majesty, from the number and menaces of foreigners; this deponent, with the rest of the crew of the schooner Mary, were compelled to return to Halifax, with only about one hundred and fifty barrels of herrings on board, and the voyage was destroyed; when deponent and the rest of the crew, if uninterrupted in the pursuit of their business, could have loaded the said schooner, which schooner could have carried, as deponent believes, about eight hundred barrels.

SAM. OAKS.

Sworn to at Halifax, this day of June, 1836,

Before me, G. N. RUSSELL, J. P.

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