

# FINE POINTS OF WHALES CLEARED UP

## Cape Cod Folk Won't Touch Stranded One Says Specksnyder

BY LESTER ALLEN

TRURO, Feb. 16 — Claiming for himself the title of Grand Harpooner Emeritus of the College of Cetology with an LL.D., Philemon U. Specksnyder raised a nice legal question today of whaling law which may involve the shore dwellers of Cape Cod in the biggest legal Donnybrook since old Hoon Nick was rescued out of the cistern.

### PRINKED HIS BEARD

The question is one of whether a stranded whale is a "fast" fish or a "loose" fish and who is responsible for disposing of it—a circumstance which could easily create a problem like old Hoon Nick's papa did when he posted his land.

Hoon Nick, Sr., as Specksnyder explained it, was a man who liked to be left alone. "He was a kinky old codger and he had grown a long beard. He was always combing the beard and he braided bright-colored ribbons into it like they do in a prize horse's tail. He was a bit gaudy to look at when he had his beard all tricked up for Sundays and I guess he got kind of sensitive about people staring at him. That's how he come to post his land, warning trespassers off.

### Had Grave Problem

"He took a couple of folks into court for trespass and after that no one bothered him except his son, young Hoon Nick, who was off whaling most of the time. Seems as though the old man decided to dig a cistern, but he had a horror of being caught in a cavein. So, whenever he was working down in the cistern he had a bundle of signal rockets with him and he left word with the town constable that if he should see a rocket shoot up he was to come a-runnin' and get old Hoon Nick out of a cavein.

"Well, sir, one day sure enough, a rocket bust out over old Hoon Nick's place and someone saw it and they went hustlin' for the constable. The constable said mebbe a rocket did bust out but he didn't see it and, personally, he would wait until he did, knowing how persnickety old Hoon Nick was about trespass. Furthermore, he said old Hoon Nick had finished digging the cistern and was

lining it with cement, so it was probably all imagination.

### Folks All Scared Off

"Someone sent down to New Bedford to see if young Hoon Nick would look in on his papa and see if he was all right, but it seems that young Hoon Nick was off on a whalin' trip and wouldn't be back for two-three years and by that time it might be too late to do anything about old Hoon Nick.

"Furthermore and moreover the constable was nearsighted. For a couple of days it was like Fourth of July. Folks perched around the edge of old Hoon Nick's land watching the rockets bust. Finally, the town soak, who never knew whether he was going to east'ard or west'ard, said he was going to take a look, and he didn't care whether he got arrested for trespass or not because winter was comin' on anyhow, and it was restful in Barnstable jail.

### Rescuers Arrested

"So, the drunk went over and looked down into the cistern, and there was old Hoon Nick caught fast in the cement by the seat of his britches and by the trailin' ends of his beard. Seems like he drained a jug of hard-stuff while he was floating cement on the bottom of the cistern, and just sat back for a moment and went to sleep. By the time he woke up the cement had set and he was trapped hard and fast. They had to crowbar him out of there. And danged if he didn't have all concerned arrested for trespass."

Having documented his legal proposition with the yarn of old Hoon Nick, Mr. Specksnyder went on to the subject of "fast" fish and "loose" fish.

### Keep Hands Off

"Under whalin' law a fast fish is any fish touched first by human hands and made secure, even if there's only a buoy tied to it," explained Specksnyder. "A loose fish is one that properly can't be called a fast fish.

"Now, sir, a whale that strands itself on the shore is a loose fish until someone comes along and puts a hand on it, and then it becomes a fast fish. The one who first touches it is the owner, and it's up to him to take care of it from there on in. That's the law. It's a big problem, I can tell you, if you have never been to leeward of a stranded whale.

"Some places it would be no problem at all, but down here on the Cape, where folks observe the letter of the law, except maybe now and again taking a few short lobsters or cleaning out a fish trap during the dark of the moon, you won't find many folks nowadays anxious to touch hand to a stranded whale."

A whale valued at \$10,000 was captured off Provincetown in 1743.

### Whalers 1875

Sch. N. J. Knights, Foster, arrived home Saturday evening with 100 bbls. sperm and 120 bbls. black oil.

Letters from Capt. Cook of Sch. Gage Phillips, reports having taken 400 bbls. sperm oil. Also reports Sch. Mary E. Simmons, Capt. Rich, with two whales along side.

**Huffs & Puffs:** A study of the old whaling history of the Provincetown fleet reveals a peculiar situation, and in numerous instances a whaling vessel was listed as a New Bedford whaler regardless of the fact that the Custom House records showed Provincetown ownership. As the whalers had to make more distant voyages and stay out for longer periods, some of our larger vessels used the port facilities at New Bedford and, in time, were listed as out of New Bedford although they still were owned and controlled by Provincetown interests. The "Whalemen's Shipping List and Merchants' Transcript" for October 19, 1875, contained the following report giving the details to date of various whalers... The schooner M. E. Simmons, 82 tons, Captain not listed, owned by E. and E. K. Cook & Co., arrived in port at New Bedford on September 26th with 170 barrels of sperm oil. The schooner N. J. Knights, Captain not listed, owned by David Conwell, a vessel of 105 gross tons arrived at New Bedford on August 30th with 100 barrels of sperm oil and 210 barrels of whale oil... The schooner Quickstep, owned by E. and E. K. Cook & Co., 70 gross tons, arrived September 24th with 100 barrels of sperm oil. The William A. Grozier, a schooner of 117 gross tons, Captain Roberts, owned by William A. Atkins, arrived March 25, 1875, from a voyage in the Atlantic Ocean and which had touched at Flores in the Azores, during the voyage, with 380 barrels of sperm oil and 20 barrels of whale oil.

### Wellfleet Whalers

"Would it interest anyone," writes Holman Spence of Springfield, "to know that the schooner 'Vannum H. Hill,' built in Wellfleet in 1852, was a whaler? She first sailed from Provincetown as a schooner until 1874, when she was sold to a J. McCullough in New Bedford and changed to a half brig and sailed as a whaler.

"The Vannum H. Hill was 90 feet long, 24 feet wide, 11.1 feet deep, and displaced 122.6 tons. She was built of white oak, iron and copper fastened and had yellow metal sheathing.

"Also, the schooner 'Winged Racer' of Wellfleet was a whaler. She was built in Essex, 1853. She was of 80 tons, owned by David Corriwell and was wrecked in December, 1877."

Whaling off Norway is traced back to 890 A.D. The Indians went whaling off Cape Cod with stone-head arrows and spears.

**Twenty-Five Years Ago**  
Another addition to the whaling fleet of Provincetown is to come soon in the form of the schooner Cameo, built in 1878 and used in turn in the merchant service, whaling and packet service. The Cameo has been purchased by a coterie of whaling craft operators of which Capt. John A. Cook of this town is the head and will again be put into whaling work, hailing from Provincetown. -1898

## Whales Help Cape Fishermen

THE whale, once so relentlessly pursued by Cape Cod whalers, turns the other cheek these days and helps them by chasing herding, driving the schools of fish into shallow water, where the Cape Cod fishermen find it easy to take them.

The Provincetown Advocate -- Feb. 26, 1873

### Whalers

The largest fleet of whalemens that ever sailed in one day from our harbor started on their voyages last Thursday, there being nine vessels, viz:

- Sch. Elbridge Gerry, Capt. Fisher;
- Sch. B.F. Sparks, Capt. Bell;
- Sch. Arizona, Capt. White;
- Sch. Rising Sun, Capt. Taylor;
- Sch. Ellen Rizpah, Capt. Atkins;
- Sch. Antarctic, Capt. Cornell;
- Sch. N.J. Knight, Capt. Foster;
- Sch. Gracie M. Parker, Capt. Dyer;
- Sch. Alcyone, Capt. Ewell

The above is in the order in which they got under way. They left the harbor with a brisk north-wester and one P.M. had beaten by the Race. It is to be hoped they sustained no accident during the storm Friday last.

### WHALING VESSELS THAT LEFT THIS PORT FEB. 20, 1873

- Schooner Eldridge Gerry, Captain Fisher.
- Schooner, B. F. Sparks, Captain Bell.
- Schooner, Arizona, Capt. White.
- Schooner, Eban Rispah, Captain Atkins.
- Schooner, Antarctic, Captain Cornell.
- Schooner, N. J. Knight, Captain Foster.
- Schooner, Gracie M. Parker, Captain Dyer.
- Schooner, Alcyone, Capt. Ewell.

### Yarmouth Register - 1884 -

Provincetown whalers in vast numbers, in boats and vessels, sailed out into Cape Cod Bay, which seemed full of blackfish, succeeding in driving from 1500 to 2000 ashore, to the value of many thousand dollars.