

Keel leaking 600 strokes per hour.

That the 13th commenced with fresh gales, vessel lying to under balance reefed mainsail. At 4 P. M. the gale moderated. Set the foresail close reefed, and the jib with the boom off. At 9 P. M. wind increasing took in the jib and foresail. At 10 P. M. Calm. At 12 light breeze from N. W. Set the foresail and jib again. At 1 P. M. the wind increased. Took in the jib. At 2 P. M. split the foresail and furlled it and laid the vessel to under balance reefed mainsail. Latter part fresh gales - vessel leaking 600 strokes per hour.

That from the 13th until the 19th of November the leak varied according to the violence of the wind and sea from 200 to 600 strokes per hour. and that at 11 o'clock P. M. of the 19th they came to anchor in Turberville Cove, shortly after which the Schooner Sterling of Halifax drifted down upon them, carrying away their jib boom and splitting the 13 off the bowsprit.

That on the 20th they had fresh breezes and at 6 P. M. parted their small chain and lost the anchor.

That on the 21st they got under way and proceeded toward New Bedford in order to repair the damages they had sustained and came to anchor in New Bedford harbor on the 22nd at about 5 P. M.

Since then appears de further declare before me the said Notary, that at the time of her departure from the Port of Aux Cayes as aforesaid and up to the 9th day of November aforesaid the said Schooner was tight, staunch and seaworthy, well and sufficiently manned, equipped and furnished with all things necessary for her intended voyage, and that on the said 9th day of November and throughout the entire passage they the said appears together with all the officers and crew did every thing in their power to preserve the said Schooner, her tackle, furniture

and cargo from damage.

Therefore the said appears have declared to protest, as by their presents they do solemnly protest against the winds and waves, high seas, storms tempests, gales of wind and all and sundry the perils of navigation for all loss, detriment or damage, suffered or sustained by said vessel in her hull, tackle, apparel or cargo, the same having occurred as is before stated, and not through the insufficiency of said vessel or her tackle, or through the inattention or neglect of them appears or any of the officers or crew, who all on the coming did their duty faithfully, and to the best of their ability.

David G. Cook, Henry Burgees
And therefore I the said Notary at the request of the said David G. Cook master as aforesaid, have protested and then presents de publicly and solemnly protest against all and every person whomsoever, whom it doth or may concern, for and on account of all damages losses, prejudices and detriments whatsoever which the said Schooner Sterling, her tackle, apparel and cargo, or either of them, have already sustained or may hereafter sustain: and also against all charges and expenses whatsoever which the owners or freighters thereof, or any or either of them may be put to or sustain, for or by reason of the aforesaid accidents or events or otherwise relating thereto.

And which facts matters and things are alleged, declared and affirmed as before is set forth, in the presence of me the said Notary and therefore I have hereunto subscribed my name and affixed my seal Notarial, being requested and obliged to testify and certify the premises.

Thus done and protested at the City of New Bedford aforesaid the day and year above written.

Notary Public