

(Sunday) April 3. at about ten o'clock in the forenoon and in view of said leak and consequent damage desires to make his protest, against the winds, waves, tides currents gales of wind and all other causes whereby the said schooner or her cargo have suffered or sustained loss or damage, with liberty to extend the same at pleasure. All which was granted by me the said Justice.

And now, on this eighth day of April in the year of our Lord one thousand eight hundred and fifty two again personally appeared the said Miller Whelden master as aforesaid, together with Elijah Baxter master and George W. Kent seaman, belonging to said schooner and being by me duly cautioned and sworn did declare and depose the several matters and things hereinafter set forth and described, in extension of the said note of Protest. To wit.

That the said schooner being well and properly fitted equipped and manned they got sail in her from the Port of Salem on the 30th day of March 1853, having on board a cargo consisting of Coffee, Cloves, Olive Stems and Bar Wood bound for New York, having previously tried the pumps and found her tight.

That they anchored that night about six miles to the South of Chatham. On the 31st they got underway with a light breeze from N. W. and about two o'clock P. M. came to anchor at Dennis. Tried the pumps and found that she had made a little water. On the first of April one of the crew leaving on account of sickness they were detained all the day to obtain a

man in his stead. On the 2^d they got under way from Dennis and on trying the pumps found it required from two to three hours to pump her out. Came through Saiche's Hole with a light breeze and anchored in Buzzards Bay. On the 3^d wind ahead with a light breeze, ^{over the vessel still leaking} did not consider it prudent to proceed for New York, but bore up for New Bedford in order to examine the vessel and stop the leak, and arrived at this Port and came to anchor the same day.

Wherefore the said appellants have declared to protest as by their presents they do solemnly protest against the winds, waves, tides currents and all the perils of navigation, for all loss detriment or damage, suffered or sustained by said vessel ~~and her cargo~~, the same having owned as is before stated ~~and not through the insufficiency of the said vessel or her tackle and crew~~ through the inattention or neglect of these appellants or any of the officers or crew who all on their parting did their duty faithfully and to the best of their ability.

Willm. Whelden
Elijah H. Baxter
George W. Kent

And therefore I the said Justice at the request of the said Miller Whelden master as aforesaid have protested, and by their presents do publicly and solemnly protest against all and every person whomsoever, whom it doth or may concern for and on account of all damages, losses, injuries and detriments whatsoever which the said schooner Antiochophore 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