

United States of America
Commonwealth of Massachusetts
District of
City of New Bedford

By this public instrument of protest and declaration, be it known and made manifest that all whom it doth or may concern, that on the twentieth day of April in the year of our Lord One thousand eight hundred and fifty four, before us William H. English a Notary Public duly sworn - summoned and sworn residing in the City of New Bedford, County and Commonwealth aforesaid personally appeared Mr. J. Rogers master of the Barque Franklin of Boston, of the burden of Four hundred and eighty tons or thereabouts, and stated that he sailed in said vessel from Honolulu on the 20th day of December 1853, having on board a cargo of Oil bound for New Bedford where he arrived this day, and having encountered heavy and tempestuous weather on the passage and fearing loss and damage desired to note his protest against the winds, waves, storms, tempests, and all other causes whereby the said vessel or her cargo has suffered or sustained loss or damage with liberty to extend the same at pleasure. All which was granted by me the said Notary.

And now on this twentieth day of April in the year of our Lord One thousand eight hundred and fifty four, again personally appeared the said Mr. J. Rogers master as aforesaid together with John Crocker mate of said Barque Franklin and being by me duly examined and sworn, did declare and depose the several matters and things hereinafter set forth and described, in extension of his said Note of Protest. To wit:

That the said Barque being well and properly fitted, equipped and manned they set sail in the fore the Port of Honolulu on the 20th day of December 1853, having

on board a cargo of Sperm and Whale Oil bound for New Bedford.

That they proceeded on the voyage without the occurrence of any event worthy of particular notice until the fifteenth day of February 1854 when in latitude 54° 30' South. Longitude 64° 12' West. The day commenced with light winds and rain. Wind veering to the S.W. and increasing - Middle part had brisk breeze the wind freshening collected all hands and brought the ship down to close reefed main topsail. At 11 A.M. hoisted the ship to. Latter part violent gales, the ship laboring badly and the cargo adrift in the hold. Shipped four heavy seas. The 16th came in with strong gales from N.W.W. At 11 P.M. moderated and the sea fell. Made sail and kept on our course. At day sea running. The cargo rolling from side to side and the pumps discharging much oil.

(Wherefore the said appearers have declared to protest as by these presents they do solemnly protest against the winds, waves, storms, tempests, gales, high seas and all the perils of navigation for all loss, detriment or damage, suffered or sustained by the said vessel or her 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 these appearers or of any of the officers or crew who all on the contrary did their duty faithfully and to the best of their ability.

W. J. Rogers Captain
John Crocker Mate

And therefore I the said Notary at the request of the said Mr. J. Rogers master as aforesaid, have protested, and by these presents do publicly and solemnly protest against all and every person, whosoever, whom it doth or may concern for and on account of all damages, losses, prejudices and detriments