

whatsoever which the owners or freighters thereof said *Barque* *Benjamin*, her tackle, apparel and cargo, or either of them, have already sustained or may hereafter sustain, and also against all costs, charges and expenses whatsoever which the owners or freighters thereof or any or either of them may be put to or sustain by reason of the aforesaid accidents or events or otherwise relating thereto.

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

Thus done and protested at the City of New Bedford the day and year abovewritten.

Wm. H. Gayles
Notary Public.

United States of America
Commonwealth of Massachusetts
District of *W. H. Gayles* City of New Bedford
May 2, 1854

Personally appeared *Spooner Jenkins* master of the *Barque* *W. H. Crap* of Dartmouth and on oath declared that *Philip Johnson* died on the late voyage and that *Benjamin W. Howland* and *Michael J. Barnes* did not sail from the United States in said *Barque*.

Wm. H. Gayles Notary Public.

Fees
Protest 70.00

Fees 1.50

United States of America.

Commonwealth of Massachusetts
District of *W. H. Gayles* City of New Bedford

On this eighth day of May in the year of our Lord One thousand eight hundred and fifty four, before me *William H. Gayles* a Notary Public duly commissioned and sworn residing in the City of New Bedford aforesaid, personally appeared *Rowland Gardner* master of the Schooner *Frances Ballou* of Wareham of the burden of twenty eight tons or thereabouts and states that he sailed in said vessel from the Port of New York on the morning of the fifth day of May 1854 having on board a cargo of *Sassaparilla* for *New York*, and having encountered heavy winds and high seas on the passage damaging the masts, bulwarks and waterways and causing her to leak, she came to anchor about three miles within *Nichols Point* on Saturday evening about nine o'clock; that they then used every effort to free the vessel from water, but failing to accomplish it they shipped the chains and endeavoured to beach the Schooner, but before reaching the shore she went down in eight fathoms of water, and was there abandoned by himself and the crew. He therefore now desires to note his protest against the high winds, heavy seas, and all other causes whereby the said vessel or her cargo or the owners or shippers thereof have suffered or sustained loss or damage, with liberty to extend the same at pleasure.

Rowland Gardner
All which is granted by me the said Notary.

Wm. H. Gayles Notary Public.