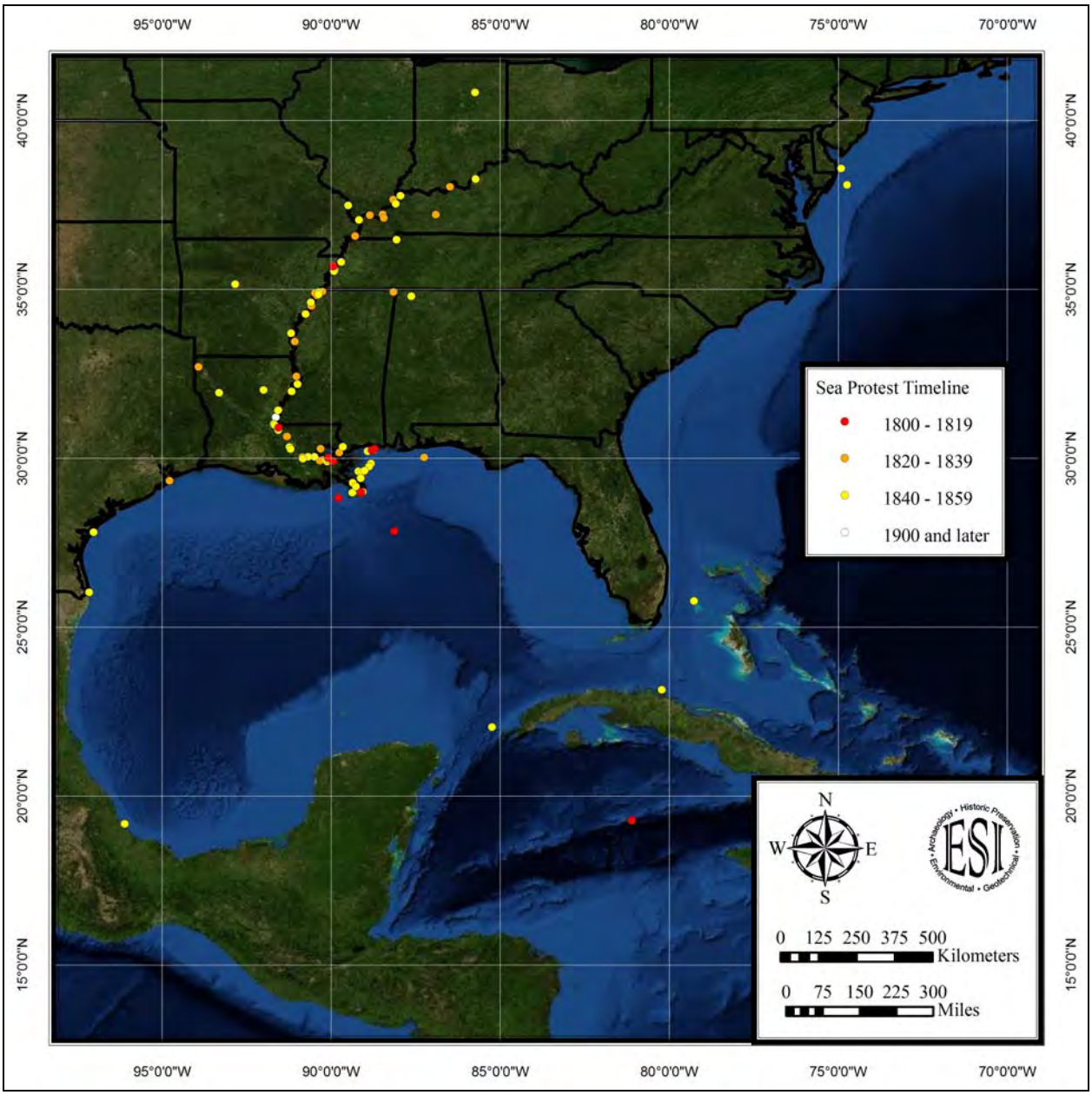
OCS Study
BOEMRE 2011-040

Shipwreck Research in the New Orleans Notarial Archives



U.S. Department of the Interior
Bureau of Ocean Energy Management, Regulation and Enforcement
Gulf of Mexico OCS Region

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Shipwreck Research in the New Orleans Notarial Archives

Authors

John K. Rawls
Dayna Bowker Lee

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Earth Search, Inc.
4212 St. Claude Avenue
New Orleans, LA 70117

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ABOUT THE COVER

The Cover Graphic was created by Earth Search, Inc. using ESRI World Imagery to show the distribution of sea protests over space and time.

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CHAPTER 1: INTRODUCTION

In November 2009, Earth Search, Inc. (ESI), was contracted by the Minerals Management Service (MMS) (now the Bureau of Ocean Energy Management, Regulation and Enforcement [BOEMRE]) to identify and obtain photocopies of sea or ship protests held by the New Orleans Notarial Archives (NONA) and to develop probability locations of shipwrecks based on the acquired historic data. The current research involved archival data collection to update, expand, and evaluate the existing shipwreck database developed by BOEMRE. Since the 1970's, such studies have resulted in an in-house database containing over 3,000 entries, derived from secondary sources and other existing databases. Despite this research, several historic shipwrecks have been identified in industry surveys on the Outer Continental Shelf (OCS) that appear to have no corresponding analog in the BOEMRE database. It was long believed that these vessels were simply lost to the historical record and the documentation on the event of their loss was no longer extant. It now appears, however, that previous researchers contracted by the former MMS overlooked the potentially rich source of information at the NONA, which houses the City of New Orleans notary records from 1733 to 1970. A large number of these documents relate to bills of sale, wills, and property inheritance matters; however, among the documents are sea protests. This archival source of information was not accessed by previous researchers yet contains a wealth of previously unknown information about historic shipwrecks in the Gulf of Mexico (GOM). The information provided by the present study will aid BOEMRE in fulfilling its obligations to consider impacts to archaeological resources by energy industry activities under Section 106 of the National Historic Preservation Act (NHPA) of 1966.

REPORT ORGANIZATION

Chapter 2 summarizes the previous investigations that have been used to create the BOEMRE database. Chapter 3 provides the methodology for the current research and associated recommendations. Chapter 4 presents the references cited and Chapter 5 provides the tables discussed in this report that were not incorporated into the text. Finally, Appendix A includes scans of each ship protest followed immediately by the corresponding transcription.

CHAPTER 2: PREVIOUS BOEMRE-SPONSORED SHIPWRECK STUDIES

The current project represents one of several studies sponsored by the BOEMRE (formerly MMS) aimed at identifying historic shipwrecks that may be present in the Outer Continental Shelf (OCS). Studies conducted in 1977 (Gagliano 1977), 1989 (Garrison et al. 1989), and 2003 (Pearson et al. 2003) were directed specifically at collecting information on historic shipwreck resources in the region. The data produced by these multi-faceted research studies were used to help design and guide a remote-sensing survey program intended to identify cultural resources on the Gulf of Mexico OCS. The previous shipwreck studies conducted to develop the current BOEMRE shipwreck database are presented below.

GAGLIANO (1977) VOLUMES I, II, AND III

In 1977, Coastal Environments, Inc. (CEI), conducted a cultural resources evaluation of the Northern Gulf of Mexico Continental shelf. This extensive study, consisting of three volumes, includes a broad study area extending throughout the coastal areas of the GOM from the Rio Grand River to the Florida Keys. It evaluated the probability of sub-aqueous prehistoric and historic archaeological resources in the northern GOM.

Volume I is entirely devoted to offshore prehistoric site potential. It reviewed geomorphological data to interpret the probability of locating submerged prehistoric sites. Gagliano presents a method for forming hypotheses about the nature of the archaeological possibilities of the OCS that could be tested with the limited sort of data available at the time of publication. The author divided the OCS into three categories: Eastern, Central, and Western corresponding to adjacent areas on land. Archeological literature of land areas was reviewed to identify major cultural manifestations, by time and type, which can be predicted to have occurred similarly on the OCS in the time periods when and where it was exposed concurrently. An inventory was given of known sites in the Northern Gulf area that were occupied from 55,000 B.P. to 3500 B.P. Age, ecofacts, artifacts, and associated landforms of these typical sites were discussed. The methodology developed with this study is illustrated by a case study of the Mississippi Delta Area (Gagliano 1977: I,iv).

Volume II is a predictive study of shipwrecks that occurred in the northern GOM between 1500 A.D. and 1945 A.D. The nature of shipping, the character of the vessels, sailing practices in use, and routes were considered chronologically, with a discussion and presentation grouped into four periods: 1) 1500-1699 A.D.; 2) 1700-1819 A.D.; 3) 1820-1865 A.D.; and 4) 1865-1945 A.D. Through archival research, a list of 1,904 reported losses and wrecks was compiled; however, it is estimated that the total number of significant shipwrecks in the study area is between 2,500 and 3,000 (Gagliano 1977:I, iv-v).

Gagliano concluded that of the total shipwreck population, approximately 70 percent date from the 19th and 20th centuries. The remaining 30 percent, the shipwrecks from the 16th, 17th, and some from the 18th century offer data, which, unlike the information for more recent shipwrecks, may be unavailable for any other source (Gagliano 1977:I, iv-v).

Gagliano revealed that approximately two-thirds of the total number of shipwrecks in the northern GOM are within 1.5 kilometers (km) (0.93 miles [mi]) of the coast. Also, another 500 shipwrecks probably lie between the 1.5-km (0.93-mi) and 10-km (6.2-mi) line. For the most part, shipwrecks are associated with approaches to seaports, straits, shoals, or reefs, and along well-established sailing routes. In addition to shipwrecks, Gagliano discussed a number of danger zones on the continental shelf where hazardous material such as bombs, missiles, and other ordnance are known to occur, as well as other areas that have been used for waste dumping that may have concentrations of modern artifacts (Gagliano 1977:I, iv-v).

Volume III consists of oversized maps that illustrate high probability areas for both prehistoric and historic cultural resources. The current project area has been identified as high probability for submerged cultural resources within the northern GOM. In addition, historic sea routes were plotted in the northern GOM (Gagliano 1977:III).

GARRISON ET AL. (1989) VOLUMES I, II, AND III

In 1989, the Texas A&M Research Foundation conducted a study for MMS (now BOEMRE) (Garrison et al. 1989) to identify high-probability areas and establish remote-sensing survey guidelines and equipment requirements most appropriate for locating historic shipwrecks on the OCS in the GOM. The objectives of this study were divided into two tasks. Task I provides a collection, evaluation, and synthesis of archaeological, environmental, and geographic data to evaluate and redefine the Cultural Resource Management Zone 1 (CRMZ1) in the Gulf. The CRMZ1 is an area considered to have a high probability for the occurrence of historic shipwrecks. Task II was designed to establish an interpretive framework that would help identify the nature of magnetic anomalies and side-scan sonar contacts within the CRMZ1. Field studies were conducted to determine the relationship between line spacing of magnetometer and side-scan surveys and the percentage of objects detected on the seafloor. These data were then analyzed to investigate whether remote sensing data gathered during a cultural resource survey could discriminate between a cultural resource and recent debris (Garrison et al. 1989:I, iii).

The results from Task I indicated an increased distribution of shipwrecks in the eastern Gulf beyond the present CRMZ1 boundary but a low preservation potential at these wreck sites, and a higher potential of finding shipwrecks around historic port areas in the central and western Gulf because of higher preservation potential (Garrison et al. 1989:I, iii).

Recommendations to relocate the CRMZ1 based upon both the distribution of reported shipwreck locations and their preservation potential were made. It was proposed that the CRMZ1 should be moved to within 10 km (6.2 mi) of the Gulf Coast and that specific higher probability zones should be delineated outside the CRMZ1 that reflect the increased frequency of wrecks in the vicinity of ports and certain hazards (Garrison et al. 1989:I, iii).

The results of Task II indicated that magnetic anomalies increase in direct proportion to area surveyed, i.e., the 150 meter (m) (492.2 foot [ft]) line interval detects one-third of the anomalies compared to a 50 m (164.1 ft) line interval survey; survey areas with oil and gas structures have higher numbers of magnetic anomalies than undeveloped survey areas; and the survey methods used for cultural resource surveys during the time of this study were not

sensitive enough to differentiate between modern debris and a potential cultural resource (Garrison et al. 1989:I, iii).

Other methods can more confidently differentiate between modern debris and shipwrecks. One method formed the basis of the recommendations on Task II, which suggest using 50 m (164.1 ft) lane spacing for survey areas having a high potential for shipwrecks. The recommendations in both Task I and II combine to reduce the general survey area on the OCS but increase the effectiveness of the surveys in areas that have a high probability of both shipwreck density and preservation potential (Garrison et al. 1989:I, iii).

PEARSON ET AL. (2003) VOLUMES I, II, III

This study represents the most recent undertaking to refine the model of shipwreck distributions presented in the 1989 (Garrison et al., 1989) study and reevaluate the survey strategies and instrumentation recommended. This study involved four principal tasks. Task 1 involved archival data collection to update, expand, and evaluate the shipwreck database produced in the 1989 study, and the development of a new database. Task 2 involved the correlation of shipwreck data with other sorts of submerged object data from the GOM, such as reported snag and hang data and objects and vessels identified during offshore remote-sensing surveys. This task included diving on selected offshore targets to determine their identity. Task 3 involved conducting magnetometer surveys at two selected shipwreck locations using differing equipment and survey strategies to compare and evaluate the instruments, refine the survey strategies currently used, and determine the minimally acceptable survey line spacing for detecting historic shipwrecks. Task 4 involved the synthesis of collected data, the preparation of a revised predictive model for shipwrecks in the GOM relying on the findings of Tasks 1 and 2, making recommendations on survey instrumentation and strategies that would be the most effective in locating these shipwrecks relying on the findings of Task 3, and preparing a technical report of findings (Pearson et al. 2003:II, 1.3-1.4).

Task 1 involved the collection of information on reported and known shipwrecks in the GOM from a variety of sources to expand the information presented in the 1989 study. In this study, the 1989 shipwreck database was revised and expanded to include a number of variables on vessel characteristics and circumstances of loss that might aid in wreck identification if discovered. All of the information on shipwrecks collected during Task 1 was incorporated into a relational database (Microsoft Access) and into a GIS program (ArcView) that continues to serve as a tool by BOEMRE personnel for the continued assessment and monitoring of shipwreck data in the GOM. Data on a number of variables relating to the characteristics of vessels and objects were collected for the more than two thousand entries included in the shipwreck database. The sample of reported shipwrecks was examined in terms of a variety of factors such as year of loss, season of loss, types of vessels, causes of loss, etc., in an effort to characterize the population of wrecks that exists in the GOM (Pearson et al. 2003:II, 2.14-2.15).

Task 2 entailed the comparison of the collected shipwreck data against other classes of submerged objects, such as reported snags and hangs, to determine if spatial correlations existed. In an effort to determine if reported hangs and unidentified objects equated with shipwrecks, remote-sensing survey and diving were conducted at selected hang sites, unknown objects,

unknown vessels, and reported shipwreck locations. Twenty target areas, which actually represented 52 recorded target locations (i.e., hangs, unknown vessels, obstructions, etc.), 31 of which were reported hang locations, were selected for both survey and subsequent diver investigation. Of the targets investigated, only three could have been or caused a hang site: a modern shipwreck and two areas of modern debris associated with the oil industry. These results raised numerous questions, the least of which is accuracy of hang coordinates, especially in light of the fact that of the 31 hang locations only 10 percent were found to actually contain objects that could result in a hang (Pearson et al. 2003:II, 5.1-5.4).

Task 3 required a survey to be conducted over two known shipwrecks (*Josephine* and *Rhoda*) at varying transect intervals with a Geometrics 866, a Geometrics 881 cesium magnetometer, a Geometrics 877 proton precession magnetometer, and a SeaSPY Marine Magnetics Overhauser-type magnetometer. A submersible base station was also employed to determine its applicability to offshore surveys as it might apply to post-mission processing of magnetic data. All four magnetometers were run on three grids of varying intervals and speeds over the two shipwrecks in order to assess how each instrument recorded the same wreck site and, if differences were present, determine if these findings predicated changes to the current BOEMRE required survey methodology in the GOM. This aspect of the investigation was not a contest to determine which instrument recorded the highest gamma amplitude or deviation at the greatest spaced interval, nor was it a controlled laboratory experiment where a sensor could be pulled past a piece of iron of a known mass along an unwavering track spaced at an exactly known distance unaffected by wind or current. Rather, this part of the study was a field trial conducted to simulate an actual survey environment, with *Josephine* situated in a high-current, open-ocean location and *Rhoda* in a somewhat protected bay environment (Pearson et al. 2003:II, 6.23-6.24).

Task 4 involved developing a revised model for shipwreck occurrences in the GOM. The development of a new model required an evaluation of the 1989 model of shipwreck distributions now used to direct offshore surveys. This evaluation found that there is considerable unreliability in the 1989 model's identification of high probability areas. Data from offshore remote-sensing surveys reveal that there is no statistically significant difference between finding a shipwreck in a designated high probability area and finding one in any other area. In the development of a new model an effort was made to increase the predictability of historic shipwreck locations, and the resulting identifications of high-probability areas, by incorporating quantitative measures of "reliability" into the positions of loss recorded for reported shipwrecks. This information, in conjunction with patterns of shipwreck density distributions, is used to identify high-probability zones and individual clusters of high-probability lease blocks in the GOM. The new model identifies considerably more high-probability lease blocks in the GOM than did the 1989 study. Task 4 also included recommendations for survey instrumentation and strategies based on the findings of Task 3. It was found that all magnetometers used during the study performed well in the field trials, but it is recommended that a closer transect interval than the 50 m (164.1 ft) now used should be considered for high-probability areas. Additionally, the functionality of submersible base stations is discussed, as are the relationships of magnetic duration and amplitude relative to vessel speed, and comments are provided on several factors that influence the conduct of BOEMRE surveys in the GOM and the subsequent analysis of data (Pearson et al. 2003:I-iv).

CHAPTER 3: RESEARCH METHODOLOGY AND RECOMMENDATIONS

INTRODUCTION

The notarial function dates to ancient Rome when literate scribes manned stalls in local marketplaces and recorded contracts and commercial transactions for the largely illiterate general public. Over time, the requirements to serve as notary have varied from country to country. In England and its former colonies notaries are generally civil lawyers, while in the United States little or no training is required. Notaries in the U.S. are typically appointed by either the governor or secretary of state of their respective states and their authority is restricted to the state, and sometimes the county or parish, in which they serve. The act of a notary in authenticating or certifying a document is technically called a "notarial act." Notaries also prepare ship protests and protests relating to mercantile matters (Chisholm 1911:822-823).

N.P. Ready (2002:19) described the duties of the notary as follows.

> Generally speaking, a notary public... may be described as an officer of the law... whose public office and duty it is to draw, attest or certify under his official seal deeds and other documents, including wills or other testamentary documents, conveyances of real and personal property and powers of attorney; to authenticate such documents under his signature and official seal in such a manner as to render them acceptable, as proof of the matters attested by him, to the judicial or other public authorities in the country where they are to be used, whether by means of issuing a notarial certificate as to the due execution of such documents or by drawing them in the form of public instruments; to keep a protocol containing originals of all instruments which he makes in the public form and to issue authentic copies of such instruments; to administer oaths and declarations for use in proceedings... to note or certify transactions relating to negotiable instruments, and to draw up protests or other formal papers relating to occurrences on the voyages of ships and their navigation as well as the carriage of cargo in ships.

Sea protests were filed preferably by the ship or boat captain to protect the ship owner or charterer as well as the crew from claims of damage caused by problems that developed during the voyage. Although the present study includes primarily 19th-century notarial acts (see below), sea or ship protests continue to be registered in port cities worldwide today, although they are often filed with customs agents.

The preponderance of protests in the 19th century led to the creation of a sea protest form, ca. 1850. Notarial records preserved at the New Orleans Notarial Archives "date from 1733 to 1970, during the time of Civil Law notarial practice when notaries archived their own records. The records are arranged the way they were created – by notary and then by date" (NONA, accessed 7 September 2010). This study examined the records of only about 15 percent of the notaries whose records are held in the New Orleans Notarial Archives (see below).

DATA GATHERING AND PROCESSING

Between 24 November 2009 and 24 March 2010, ESI identified and obtained photocopies of sea or ship protests held by the New Orleans Notarial Archives (NONA). Over 1,000 notaries served in New Orleans between 1733 and 1970, but typescript indices for the volumes of only 84 notaries were prepared by Works Progress Administration workers in the 1930s. Due to time constraints, the notaries in this study were chosen from those with typescript volume indices. It is estimated that within the four-month data-gathering period, the records of 12 (approximately 15 percent) of those notaries were reviewed. It is likely that not all of these 84 notaries recorded sea protests, but there is no way of knowing who did or did not without reviewing the indices for each volume. No comprehensive index to the records contained within the NONA exists.

A review of the index to the French colonial era records (ca. 1718-1766) identified two sea protests, neither of which involved vessel loss or destruction. A review of Spanish era indices revealed that many were organized using only the names of those involved in the various transactions without noting the action involved, making identification of sea protests a more cumbersome process. Coupled with the time involved in translation, it was decided that in order to make the best use of limited research time Spanish colonial era records (1766-1803) would not be included in this effort unless specifically recommended by NONA staff. Research began with a general survey of the NONA sea protest database, followed by a survey of notaries identified by NONA staff as having a high number of sea protests within their records.

Following the review and elimination of the French era protests, a survey was conducted of records in the sea protest database initiated by Sally Reeves during her years as head archivist at NONA. Contacted by NONA staff, Ms. Reeves, who is now retired, noted that the database included many but not all of the notaries identified by Ms. Reeves as having handled a large number of sea protests over the course of their careers. Ms. Reeves stressed that the database remains incomplete. Despite the more than 600 records contained therein, only three vessel losses were identified in the existing database. Subsequently, a survey of sea protests found in the volume indices of individual notaries suggested by NONA staff was initiated. Due to the limited research time, it was determined that copies of all documents identified as sea protests with vessel loss would be photocopied for later analysis. Identified protests were photocopied by NONA staff, scanned, and converted to pdfs. Copies of the protests were stored on ESI's mainframe. Photocopies were duplicated and both copies stored in separated locations. Photocopies were examined for clarity and, if necessary, were recopied to obtain the clearest image.

A total of 122 documents notarized by twelve individual notaries were photocopied (Table 1). Of that number, 85 protests (70 percent) were filed in response to vessel losses in the interior continental riverways (Table 4), and 37 (30 percent) documented maritime losses, 23 of which were in the Gulf of Mexico (Table 3). Protest dates ranged from 1804-1900, the majority of which (118 or 96.6 percent) dated to the antebellum period (ca. 1812-1861). Three protests (2.4 percent) were recorded during the territorial period (ca. 1803-1812), and one (.008 percent) was recorded in 1900.

Table 1. Notaries Included in the Present Study

Last Name	First, Middle	Beginning Date	End Date
Barnett	Emile	8/1/1890	10/31/1902
Broutin	Francisco	8/1/1790	7/31/1799
Christy	William	5/25/1827	12/30/1857
Claiborne	John	3/1/1850	11/30/1854
Duncan	J.N.	5/1/1857	4/30/1859
Fitch	Eliphalet	8/17/1872	7/16/1880
Gordon	Hugh K.	12/29/1824	111/30/1829
Hermann	Lucien	11/30/1839	3/31/1850
Lynd	John	4/24/1805	1/3/1820
Munhall	Francis	6/28/1805	8/27/1806
Pollock	Carlile	4/30/1817	12/31/1845
Soria	Jacob	11/1/1850	5/30/1853
Stringer	G.R.	3/2/1843	9/30/1849

The 122 sea protests were transcribed into MS word files. Punctuation was added and common misspellings were corrected within the transcription process. Errors such as misspelled names, irregular grammar use, misidentifications, and so forth were noted using [*sic*]. Common nautical terms were not defined, but obscure or archaic terms were defined when possible. Every effort was made to provide as complete a transcription of each document as was possible and most transcriptions are complete. In cases of illegibility, original documents were reexamined and clearer copies obtained if the originals proved legible. In some cases, due to the age of original documents, fading of ink, document damage, and binding, verbatim transcriptions were impossible and missing words were identified as [illegible]. Page numbers listed for documents are somewhat misleading, as two to three printed pages often equate to one notarial page—e.g., notarial page 110 could actually be comprised of two to three pages of text. Transcriptions were housed on the computers of those engaged in transcribing the documents and transcriptions were uploaded to the ESI mainframe upon completion of each one.

After consultation with BOEMRE personnel, ESI decided to enter data into a Microsoft Excel file that utilized the data fields contained within the BOEMRE shipwreck database. Sea protest documents were reviewed weekly and pertinent information for each protest was entered. The Excel file was located on the computer used by the ESI staff member assigned to process the documents and backed up to the ESI mainframe each time that data was entered. The Excel file was converted to a Microsoft Access database; original document images and transcriptions of each protest were linked to each record.

SHIPWRECK LOCATIONS

The procedures for assigning geographic coordinates to reported shipwreck losses are the same as those used in the Garrison et al. (1989) and Pearson et al. (2003) studies. For the current

research, the precise locational information for vessel losses was difficult to obtain. Few documents contained latitude-longitude information; and those that did include latitude-longitude did not do so as reference for the wreck locations themselves. When possible, locational references such as lighthouses or islands were identified. These descriptions have been included in the "Nearest Landmark" section of the Access format shipwreck database accompanying this report. The purpose of including these descriptions is to provide researchers access to the data from which the coordinates were developed. When only descriptive statements were provided, researchers acquired the geographic coordinates by plotting the position of the wreck in ArcView. For example, if the description of loss stated that the vessel sank "approximately 5 miles below Bougere's Landing, Concordia Parish, La., Mississippi River," this location was determined by scaling distance from a said landform and/or river feature in ArcView. Some location names are no longer in use, but were identified using Bragg's (1977) study of historic Mississippi River place names. A variety of geo-referenced maps and navigation charts were utilized to identify landforms and locations described in the sea protests. It must be understood, however, that an uncertain amount of error can be incorporated in the coordinates obtained from these types of descriptions. Coordinates in the current NONA database are provided as decimal latitude and longitude, a format that allows the mapping of wreck distributions in GIS formats. Of the 122 documents reviewed, locational information for 83 vessel losses could be determined. More historic research is recommended for the remaining entries, as locational information was deemed too vague to provide a relative location.

An important variable in determining the location of a shipwreck is the "Location Reliability" section of the database. This section in the database provides an assessment of the reliability of the location of vessel loss provided in the form by using a numerical scale ranging from 1, very high reliability, to 4, very low reliability. The four reliability factors used are described below.

1. Wreck location is confirmed through physical verification and has been accurately positioned (e.g., with GPS or on an accurate, modern map) or is identified on the basis of accurately positioned remote-sensing survey. The location is considered to be very reliable such that a wreck would be easy to relocate using standard DGPS equipment.

2. A specific location is provided for a wreck or a vessel loss by an informant, reported in the literature, or on a map. Included in this category are wrecks or losses whose position is given to at least the nearest actual minute of latitude and longitude, to a specific offshore lease block, and those that have been discovered and positioned using Loran equipment. The location reliability of these wrecks or losses is considered to be moderate to good. It is anticipated that these wrecks could be discovered, but discovery would require a moderate amount of field survey with remote-sensing equipment, and may require additional historical research.

3. A general location for a wreck or a vessel loss is provided by an informant or in the literature. Included in this category are vessels whose locations of loss are given only in degrees of latitude and longitude. Also included

in this category are vessels whose general position of loss is provided in relation to a known landmark, such as "10 miles south, southeast of Ship Island." The location reliability of these wrecks or losses is considered to be fair to poor. Discovery of wrecks included in this category could be very difficult and commonly would require a considerable amount of historical research and/or remote-sensing survey.

4. Unreliable or vague location information is provided on a wreck or place of loss of a vessel. Examples would include many early accounts of vessel losses such as reports of vessels lost in hurricanes "near latitude such and such" or other general indications of loss, such as "30 miles off Padre Island," "off the coast of Louisiana," "south of Galveston," or "between Galveston and New Orleans." Directed searches for these vessels are nearly impossible and their discovery will mainly be by chance.

The use of these reliability factors in the current study is the same established in the Pearson et al. 2003 study and represents an effort to determine how useful assigned wreck locations can be to various types of analyses. However, the assignment of a reliability value in many cases throughout the current research is partially subjective due to the nature of the original shipwreck data. Analysis of the 122 sea protests housed at NONA and included in this study has determined that 84 wrecks have a locational reliability of 3 and 37 have the locational reliability of 4. Only 3 have the locational reliability of 2.

VESSEL TYPES

A large variety of vessel types have been used and lost in the inland rivers and the GOM. Review of the 122 sea protests at NONA described nine different watercraft types. These vessel types ranged from riverine craft such as flatboats, keelboats, steamboats, and barges to ocean-going vessels including ships, brigs, schooners, sloops, and steamships. The most common type of riverine watercraft described in the sea protests is the flatboat and the most common type of ocean-going vessels is the schooner. In the current research, "Classification" was determined for 122 entries resulting in the identification of a total of nine different types of vessels.

The designation of a "Vessel Type" was principally derived from the NONA sea protests. In most instances this resulted in a functional descriptor (e.g. barge, flatboat, keelboat), but often in a more general statement about the rig or form of propulsion of the vessel (e.g., schooner, bark, brig, etc.). As noted by Pearson et al. (2003), there is not a universal method to develop a typology system. The one used in the current research results in a relatively small number of types, most but not all of which are somewhat functional in nature. For example, "Schooners" comprised the third largest number of vessel types (n=22) described in the sea protests, but this is a category determined by the rig configuration, which can include a variety of functional types of vessels, such as merchant vessels, fishing vessels, etc. The historic sea protests examined do not provide for an accurate functional classification system of most of the vessels included in the schooner category.

Table 2. Types of Vessels Described in the NONA Sea Protest.

Vessel Type	Code	Number
Barge	BGE	1
Barque	BRK	4
Brig	BRG	8
Flatboat	FB	49
Keelboat	KB	5
Schooner	SCH	22
Ship	SHP	8
Sloop	SLP	1
Steamboat	ST	24
TOTAL		122

RECOMMENDATIONS FOR FUTURE RESEARCH

The sheer volume of documents contained within the NONA would suggest that additional research is warranted. Only two shipwrecks already included in the BOEMRE shipwreck database were discovered during the course of the present research, and only 15 percent of the indexed notarial records were reviewed due to time constraints. If a second phase of this project is implemented, it is recommended that protests should be reviewed prior to photocopying at NONA in order to reduce or eliminate the number of protests involving riverine wrecks. This step will increase the amount of time devoted to data gathering; however, this increase would likely be balanced in the transcription phase. Pre-screening protests at NONA would allow research assistants to limit document selection to maritime protests that are of greater interest to BOEMRE.

CHAPTER 4: REFERENCES

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CHAPTER 5: ADDITIONAL TABLES

Table 3. Marine Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
Mary Ellen	1/5/1841	schooner	Stranded and Swamped	North Chandeleur Island, about 15 miles from the north point	Appendix A, Pages 186-190
Jane	5/2/1851	schooner	Foundered	the inner point of Horn Island	Appendix A, Pages 232-237
Gertrude	10/10/1851	ship	Stranded and Swamped	a Sand Bank off of South Point, Marsh Island, Atchafalaya Bay	Appendix A, Pages 244-250
William C. Preston	8/11/1851	schooner	Explosion	10 miles from Britton Island, west of the Chandeleur Islands, in the Gulf of Mexico	Appendix A, Pages 251-256
Martha Jane	3/31/1853	schooner	Stranded and Swamped	location not mentioned; 3 days sail from Savannah, Georgia, enroute to New Orleans	Appendix A, Pages 263-268
Conception	12/23/1810	brig	Foundered	the ship was found bilged and full of water on the Island of Grand Gosier off the coast of Louisiana	Appendix A, Pages 277-279
Rising Sun	3/17/1827	schooner	Stranded and Swamped	In the Galveston Bay, Galveston, Texas	Appendix A, Pages 304-307
Magnolia of New Orleans	11/5/1829	schooner	Capsized	off of Santa Rosa Island, opposite the lighthouse	Appendix A, Pages 322-325
Neptune	8/2/1804	ship	Abandoned	on the southeast end of the Great [Grand] Cayman Island, Caribbean	Appendix A, Pages 326-330
Mary Anna	9/12/1846	schooner	Foundered	past [above] Cape Henry Lighthouse at Virginia Beach, VA in Atlantic [see Act 322]	Appendix A, Pages 336-342
Helen McLeod	9/12/1846	brig	Foundered	past [above] Cape Henry Lighthouse at Virginia Beach, VA in Atlantic	Appendix A, Pages 343-349
Ashland	1/12/1847	schooner	Stranded and Swamped	South Chandeleur Island	Appendix A, Pages 364-370
Francis Ann	3-18/1847	brig	Stranded and Swamped	on Grand Gosier Shoal near Breton Island, then driven 2-3 mi. west	Appendix A, Pages 387-391
Ellen & Clara	4/21/1847	brig	Beached	Sacraficios Island, off the coast of Vera Cruz, Mexico	Appendix A, Pages 392-397

Table 3. Marine Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
Oscar Jones	4/26/1847	schooner	Beached	Sacraficios Island, off the coast of Vera Cruz, Mexico	Appendix A, Pages 398-404
Alhambra	4/7/1847	barque	Foundered	near Madeira Island [Portugal] in the N. Atlantic Ocean	Appendix A, Pages 405-410
G. W. Gifford	3/6/1848	brig	Abandoned	in sight of Cape [San] Antonio, Cuba	Appendix A, Pages 411-416
Liverpool	1/11/1848	ship	Stranded and Swamped	off the coast of Key Verde, Cuba, in the "Old Bahama Channel"	Appendix A, Pages 417-422
Elijah Swift	10/30/1849	bark	Stranded and Swamped	the northwest point of the Great Isaacs island [Bahamas], Atlantic Ocean	Appendix A, Pages 423-429
Lucifer	2/17/1850	schooner	Foundered	at a place called Spanish Stones on the Mississippi River, about 50 miles downstream from New Orleans	Appendix A, Pages 430-435
Russia	2/8/1850	ship	Burned	left the mouth of the Mississippi River at SW Pass, heading south & west in the Gulf of Mexico; grounded opposite "Pilot Station"	Appendix A, Pages 436-441
Merchant	2/7/1845	schooner	Abandoned	unknown location between New York and Charleston in Atlantic Ocean	Appendix A, Pages 474-480
Ionic/k	3/21/1845	barque	Collided	about 12 miles to the southeast of Cape Henlopen [Delaware] lighthouse, in the Atlantic Ocean	Appendix A, Pages 495-500
Magnet	12/20/1845	schooner	Stranded and Swamped	near St. Joseph's Island, outside of Aransas, Texas. Gulf of Mexico	Appendix A, Pages 517-522
Hamlet	12/22/1845	ship	Stranded and Swamped	on the Grand Gosier reef about 24 miles northwest of the northeast pass of the Mississippi, and five miles southeast of Breton Island, Gulf of Mexico	Appendix A, Pages 550-556
St. Cloud	2/13/1846	ship	Abandoned	North Atlantic Ocean, on course for Fayal [Azores]	Appendix A, Pages 582-588
Plymouth	4/27/1846	brig	Abandoned	Shell Reef, about 25 miles from the southwest pass at the mouth of the Mississippi River, Gulf of Mexico	Appendix A, Pages 612-618
Bella del Mar	3/25/1846	schooner	Abandoned	on the bar mired in "quicksands" at Brasos de Santiago	Appendix A, Pages 619-624

Table 3. Marine Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
Delia	7/13/1846	brig	Burned	on Chandeleur Island about 30 miles north of the "Balize"	Appendix A, Pages 642-646
El Santo Christo de las Ampollas	9/26/1806	schooner	Stranded and Swamped	on the Mississippi River about eight leagues [approximately 24 miles] below the city of New Orleans	Appendix A, Page 647-649
Mary	5/18/1813	schooner	Stranded and Swamped	on Dog Island, near Ship Island in the Gulf of Mexico	Appendix A, Page 650-652
Revolution	12/13/1813	schooner	Stranded and Swamped	near Pass Heron, vicinity of Pascagoula, Miss.	Appendix A, Page 653-656
Perdido	12/24/1816	schooner	Stranded and Swamped	at the "Pickets" at the entrance of the Bayou St. John	Appendix A, Page 657-658
Enterprise	3/15/1818	schooner	Abandoned	about nine miles south of the Balize, Gulf of Mexico	Appendix A, Page 659-662
Clarissa	9/7/1817	schooner	Abandoned	about 8 miles southward of the Balize, Gulf of Mexico	Appendix A, Page 675-678
General Knox	9/26/1817	ship	Abandoned	In the Gulf of Mexico, probably off the coast of the Barataria	Appendix A, Page 679-681
Rapid	12/7/1813	schooner	Capsized	unknown distance south of the Balize, Gulf of Mexico	Appendix A, Page 693-695

Table 4. Interior Waterways Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
T.P. Leathers	6/9/1900	steamboat	Sunk	approximately 5 miles below Bougere's Landing, Concordia Parish, La., Mississisippi River	Appendix A, Pages 27-33
Walk in the Water	5/17/1829	sloop	Foundered	about 100 yards out from the South point of the Manchac Pass, Lake Pontchartrain	Appendix A, Pages 34-37
Ariel	5/7/1831	flatboat	Collided	the boat was towed to the port of New Orleans where it sunk in the Mississippi	Appendix A, Pages 38-42
"One"	2/10/1834	flatboat	Collided	Waterloo, Ala. On Tenn. River	Appendix A, Pages 43-47
Not Named	11/14/1834	flatboat	Collided	Lower end of Flint Island, Ohio River, Kentucky side	Appendix A, Pages 48- 52
Nashville	2/24/1835	steamboat	Collided	Boat hit a snag opposite the foot of Island No. 7, Mississippi River, near Hickman County, Kentucky, boat was landed on Kentucky shore	Appendix A, Pages 53-57
Not Named	1/25/1835	flatboat	Foundered	at a landing along the Mississippi River about 12 miles above the city of New Orleans	Appendix A, Pages 58-62
Not Named	4/8/1835	flatboat	Foundered	the boat was docked at New Orleans opposite of St. Peter Street	Appendix A, Pages 63-67
"One"	3/12/1835	flatboat	Stranded and Swamped	at Plumb [Plum] Point, Mississippi River, opposite of Oceola, Arkansas	Appendix A, Pages 68-70
Otto	1/6/1836	steamboat	Collided	the entrance to the Rigolets, coming from Lake Pontchartrain	Appendix A, Pages 71-74
Heroine	4/12/1836	flatboat	Unknown	2 miles below a place called Settler Chasm, Ohio River	Appendix A, Pages 75-79
Daniel Webster	5/25/1836	flatboat	Stranded and Swamped	about 17 miles north of New Orleans along the Mississippi River	Appendix A, Pages 80-83
3	12/13/1836	flatboat	Stranded and Swamped	Steward's Island, on the Ohio River about 70 miles from the Mississippi River	Appendix A, Pages 84-88
4	12/13/1836	flatboat	Stranded and Swamped	Steward's Island, on the Ohio River about 70 miles from the Mississippi River	Appendix A, Pages 84-88
Rosalba	3/16/1837	keelboat	Foundered	Island of willows, one mile from the Sodo Lake shore	Appendix A, Pages 89-94
Hoosier	4/2/1837	flatboat	Collided	sunk about 1.5 miles above the city of New Orleans	Appendix A, Pages 95-99
Temperance	3/13/1837	flatboat	Stranded and Swamped	the boat was forced to land at Cat Island, 25 miles south of Memphis, Tennessee	Appendix A, Pages 100-105

Table 4. Interior Waterways Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
Vermillion	3/2/1837	flatboat	Stranded and Swamped	the head of Stack Island, about 2 miles below Shawneetown on the Ohio River	Appendix A, Pages 106-110
Columbus	1/14/1838	flatboat	Foundered	on the Green River, near the mouth of the Mud River at Rochester, Kentucky	Appendix A, Pages 111-115
Henry Clay	1/14 or 15/1838	flatboat	Collided	in the corner of Haywood County, Tennessee, a few miles below the village called Eastananla	Appendix A, Pages 116-123
C.J.W. No. 27	1/27/1838	flatboat	Foundered	nearly opposite Byrne's sawmill, Mississippi River above New Orleans	Appendix A, Pages 124-128
C.J.W. No. 7	2/7/1838	flatboat	Foundered	above the city of Lafayette	Appendix A, Pages 129-133
C.J.W. No. 13	2/13/1838	flatboat	Foundered	Jefferson Parish, above the city of Lafayette	Appendix A, Pages 134-138
Logansport	12/1/1838	steamboat	Scuttled	at the foot of Buck Island, Crittenden County, Arkansas	Appendix A, Pages 139-145
Washington	11/29/1838	steamboat	Scuttled	Glascock's Island, about 25 miles below Natchez, Mississippi	Appendix A, Pages 146-151
No. 1	2/11/1839	flatboat	Scuttled	Opposite of Hampton's plantation, about 15 miles below Lafourche	Appendix A, Pages 152-157
No. 2	2/27/1839	flatboat	Scuttled	around Red Church, 24 miles above New Orleans	Appendix A, Pages 158-162
Francis Marion	5/25/1839	flatboat	Collided	near St. Francis Island (No. 59) in the Mississippi River, about 12 miles above the town of Helena, Arkansas	Appendix A, Pages 163-168
Not Named	1/8/1840	flatboat	Scuttled	sunk in the channel at Cash Island Bar, six miles above the mouth of the Ohio River	Appendix A, Pages 169-173
Creole	2/22/1841	steamboat	Burned	at about 10 to 11 miles below Red River Cut-off, south of Alexandria	Appendix A, Pages 174-179
John Randolph	3/2/1841	steamboat	Scuttled	at the Mississippi River bend, about 1 mile above the town of Carrolton	Appendix A, Pages 180-185
No. 4	3/30/1841	keelboat	Unknown	in the port of South Florence on the Tennessee River	Appendix A, Pages 191-197
Nashville	12/13/1842	steamboat	Scuttled	in the Ouachita River about 35 miles above the town of Harrisonburg	Appendix A, Pages 198-202
Henry Clay	12/28/1842	flatboat	Collided	at about 8 miles above Bonnet Carre Church	Appendix A, Pages 203-207

Table 4. Interior Waterways Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
Rob Roy	4/9/1846	steamboat	Capsized	in the Mississippi River, approximately 4 miles downstream from the Girod Street wharf in New Orleans	Appendix A, Pages 208-211
Seventy-Six	1/10/1848	steamboat	Burned	on the Mississippi River, at a point called Free Port in Jefferson Parish a few miles from New Orleans	Appendix A, Pages 212-216
Texian	3/27/1849	steamboat	Burned	on the Red River about 8 miles below Baton Rouge, and opposite of Mr. Conrad's plantation	Appendix A, Pages 217-221
Nick of the Woods	6/5/1855	flatboat	Scuttled	on the Arkansas River at the Ambrose Cutoff	Appendix A, Pages 222-225
Melodeon	12/6/1850	steamboat	Collided	on the Mississippi River, 2 miles above the town of Plaquemines	Appendix A, Pages 226-231
Galveston	8/25/1851	steamboat	Stranded and Swamped	Ship Island Shoals	Appendix A, Pages 238-243
Charlotte	7/31/1852	Barque	Burned	on the Mississippi River, leaving New Orleans, over the bar at Telegraph Station	Appendix A, Pages 257-262
Washington	11/6/1826	flatboat	Scuttled	at the foot of the "Race-ground" in the Mississippi River	Appendix A, Pages 269-271
No. One	1/10/1828	flatboat	Unknown	at the foot of Islands No. 101 and 102 in the Mississippi River	Appendix A, Pages 272-276
Not Named	5/4/1826	flatboat	Foundered	In the Ohio River 30 miles above its junction with the Mississippi River	Appendix A, Pages 280-286
Rufus Putnam	12/27/1825	steamboat	Stranded and Swamped	near Point Chicot , Arkansas in the Mississippi River	Appendix A, Pages 287-290
Lexington	8/14/1826	flatboat	Foundered	In the Ohio River about 2 miles below the mouth of the Cumberland River at Smithland, Kentucky	Appendix A, Pages 291-295
Not Named	3/31/1827	flatboat	Collided	On the Mississippi at the upper limits of the port of New Orleans	Appendix A, Pages 296-299
Not Named	4/24/1827	flatboat	Foundered	On a part of the Mississippi River called "the Devil's Elbow"	Appendix A, Pages 300-303
Columbia	12/21/1827	steamboat	Burned	opposite the old Fort on Bayou St. John, New Orleans	Appendix A, Pages 308-313
Henry Tate	6/13/1828	brig	Scuttled	In the Mississippi River about 20 miles above the South West Pass	Appendix A, Pages 314-317
Not Named	10/13/1829	flatboat	Scuttled	Plum Point, Mississippi River, opposite of Oceola, Arkansas	Appendix A, Pages 318-321

Table 4. Interior Waterways Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
E. McDonald	4/27/1843	flatboat	Foundered	Horseshoe cut-off near Helena, Ark. On Mississippi River	Appendix A, Pages 331-335
Lion	1/9/1847	flatboat	Collided	New Orleans, Municipality No. 3, Pier No. 568, Mississippi River	Appendix A, Pages 350-354
Phenix	1/5/1847	barge	Collided	at the bank of the Mississippi River, near the mouth of the Francis River [north of Helena, Ark]	Appendix A, Pages 355-363
A.B. Cooley	2/9/1847	schooner	Scuttled	In the Mississippi River opposite of Wilder's Bayou	Appendix A, Pages 371-376
George Washington	3/6/1847	barge	Foundered	In the Mississippi River about 16 miles above Cape Girardeau, MO	Appendix A, Pages 377-385
Buckeye	3/4/1844	steamboat	Collided	2 miles from the mouth of the Old River [near confluence w/ Mississippi River], Avoyelles Parish	Appendix A, Pages 442-447
Number One	1/5/1845	flatboat	Scuttled	the bar at Big Black Island in the Mississippi, downstream from Palmyra Island	Appendix A, Pages 448-557
Florence	1/15/1845	steamboat	Scuttled	about 1/2 mile above the foot of Island Number 63 in the Mississippi River on the Arkansas side	Appendix A, Pages 458-467
A	2/5/1845	flatboat	Foundered	on the banks of Pearl River opposite Gainesville	Appendix A, Pages 468-473
none	2/16/1845	flatboat	Collided	in the Mississippi River, about five miles above the city of New Orleans	Appendix A, Pages 474-486
none	3/8/1845	flatboat	Collided	bank of river opposite Island No. 25 in the Mississippi River	Appendix A, Pages 487-494
Mary Bell	4/22/1845	flatboat	Foundered	about 40 miles below Memphis, at the head of the Counsel Bend in the Mississippi River	Appendix A, Pages 501-505
Mount Ida	11/17/1845	flatboat	Scuttled	about 7 miles below the town of Napoleon, Arkansas on the Mississippi River	Appendix A, Pages 506-511
none	12/16/1845	flatboat	Scuttled	at the foot of Slim Island about 15 miles above Shawneetown, Union County, Kentucky, in the Ohio River	Appendix A, Pages 512-516
Number 2	1/19/1846	flatboat	Foundered	flat boat landing, Third Municipality, New Orleans	Appendix A, Pages 523-527
Nebraska	1/14/1846	steamboat	Scuttled	on the bar opposite Diamond's Island on the Mississippi River, about 20 miles below Vicksburg	Appendix A, Pages 528-535
No. 4	12/26/1845	flatboat	Sunk	On the Ohio River, within three miles of the "falls"	Appendix A, Pages 536-540

Table 4. Interior Waterways Ship Losses.

Vessel Name	Date of Loss	Vessel type	Cause of Loss	Nearest Landmark	Page Numbers
No. 2	12/5/1845	flatboat	Sunk	Battery Rock Bar, in the Ohio River, close to Jeffersonville	Appendix A, Pages 541-549
Cherokee	1/29/1846	ship	Burned	happened while proceeding in tow from the mouth of the Mississippi River towards New Orleans	Appendix A, Pages 557-562
No. 2	2/6/1846	flatboat	Scuttled	below Plum Point, eventually on sand bar at head of Island No. 34 in Mississippi River	Appendix A, Pages 563-570
Ohio, No. 8	2/?/1846	flatboat	Scuttled	Raccourci Point, about 100 miles above New Orleans in the Mississippi River	Appendix A, Pages 571-575
Wabash Valley	3-28-1846	steamboat	Collided	about one mile below Jefferson College [College Point, St. James Parish] on the Mississippi River	Appendix A, Pages 576-581
Patriot	3/22/1846	steamboat	Stranded and Swamped	near the upper end of Lewis Island on the Tennessee River, about four miles from the mouth of the Sandy	Appendix A, Pages 589-597
Mary	3/25/1846	flatboat	Scuttled	at Ruth's Point, on the Mississippi River near the mouth of the Red River	Appendix A, Pages 598-602
Number Two	4/9/1846	flatboat	Scuttled	about 2 miles past a place called Hanging Rock in the Wabash River [southern bank, Wabash Co., Ind. Near Lagro]	Appendix A, Pages 603-611
Swallow	2/23/1846	steamboat	Scuttled	on the Arkansas River, about 7 miles above Lewisburg	Appendix A, Pages 625-630
Number 12	4/28/1846	flatboat	Foundered	in the channel of the Mississippi river, near Ruths Mills and 7 miles below Grand Gulf	Appendix A, Pages 631-635
Express Mail	4/27/1846	steamboat	Scuttled	Opposite of the R. C. Bates Plantation in the Red River, about 56 miles below Shreveport [near p.d. Coushatta]	Appendix A, Pages 636-641
Number One	3/24/1818	flatboat	Scuttled	sunk	Appendix A, Pages 663-665
Sarah Washington	1/271819	keelboat	Scuttled	near Plumb Point in the Mississippi River	Appendix A, Pages 666-668
none	12/15/1818	flatboat	Scuttled	near Plumb Point in the Mississippi River	Appendix A, Pages 669-671
none	4/25/1819	keelboat	Stranded and Swamped	about 10 miles below the mouth of the Red River in the Little Missouri River, Arkansas	Appendix A, Pages 672-674
Cinderella No. 2	11/15/1851	keelboat	Scuttled	50 miles below Point Sefline, Yazoo River	Appendix A, Pages 682-686
Fort Adams	12/9/1836	steamboat	Abandoned	between Port Hudson and Thompson Creek	Appendix A, Pages 687-692

APPENDIX A: SHIP PROTESTS AND THEIR TRANSCRIPTS

168A

United States of America,

State of Louisiana, City of New Orleans.

BY THIS PUBLIC INSTRUMENT OF PROTEST.

Be it Known, That before me Carl J. Marcott

Notary Public, duly commissioned and qualified, in and for the Parish of Orleans, State of LOUISIANA residing in the City of NEW ORLEANS—

PERSONALLY CAME AND APPEARED, W. A. Duke Master of the Steamboat called the T. P. Leathers, who having sworn before, to-wit: on the Ninth day of June 1900 before Me, Notary

for the uses therein set forth, his PROTEST in due form of Law; now requires me, Notary, to EXTEND SAID PROTEST:

And with the said W. A. Duke ALSO CAME AND APPEARED

William Penny Pilot
J. F. Duke Mate
Wm Rodgers Carpenter
Geo Hirsh Watchman

all belonging to the said Steamboat all of whom being by me first sworn, do voluntarily, freely and solemnly DECLARE AND DEPOSE as follows—that is, to say: that they, the said appearers, departed in and with the said Steamboat in their capacities, aforesaid, from Carriola, Arkansas having on board ~~fuel~~ fuel and intending to take on cargo at various points on the Mississippi River and bound for the Port of New Orleans that the said Steamboat was then stout, staunch and strong; had her cargo well and sufficiently stowed and secured; was well manned, rigged, manned, tackled, victualed, apparelled and appointed, and was in every respect fitted for the voyage she was about to undertake:

They left Carriola, Ark. after taking on fuel, and proceeded down the Mississippi River, all things going well, the Boat making about twenty Landings along the River at different points in order to take on Cargo and Passengers between Carriola, Ark. and Natchez, Miss. which latter place was reached at 9:30 o'clock A.M., on

They left Natchez, Miss., at 10:15 A.M., of the same day, and proceeded on their voyage with nothing of note occurring until 2 o'clock P. M., of the same day, when making the Landing at Bougere's Landing, the Boat, proceeding under slow steam, struck some hidden obstruction, causing her to jar and rebound.

A hasty examination was made and it was found that there was a large hole in her Port Side forward, of the Boilers, abreast of the Coal Bunkers. Efforts were made to spread a tarpaulin over the hole and thus stop the flow of water, but, the hole being so large, the tarpaulins were drawn through as fast as placed; in the meantime, the Boat was headed for the Banks and a line run out and made fast to a post set in the ground and used for the purpose of making Boats fast when landing. As it was found impossible to in any way check the flow of water, which was running into the Boat so rapidly as to cause her to careen, and, fearing she would turn over, the passengers and Crew were put ashore immediately for safety.

The strain being so great on the post that it was pulled out of the ground, and the Steamer slid out into the current and drifted down the River.

The Mate and two men were sent along the Bank to follow her and try to make her fast, should she float near enough to the Bank, or lodge; they followed her for a distance of about five miles, when on account of her excessive careening, the Cabin floated off and the Hull turned bottom up, sinking with the Stern in about sixty feet of water and the Bow about ten feet out of the water.

As there was no possibility of saving anything, the men left the wreck and proceeded to Tarbert's Landing, and from there to New Orleans.

When the Boat struck the hidden obstruction, she had some passengers, about Eighty Bales of Cotton, about Sixteen hundred Sacks of Cotton Seed, a few sundry articles on board, and some money in the Safe. During the entire voyage, up to the time of striking the obstruction, all lights and watches were carefully attended to.

MARINE NOTE OF PROTEST

PORT OF NEW ORLEANS, JUNE 8th, 1900.

On this Eighth Day of June, in the Year of our Lord, 1900, before me, EMILE J. BARNETT, a duly commissioned Notary Public for the Parish of Orleans, State of Louisiana, in the United States of America, personally appeared W. A. DUKE, Master of the Steamboat called the "T.P.LEATHERS", of burden of 509 Tons, or thereabouts, and declared that on the Sixth day of June last past, they left Carriola, Ark., with the said Steamboat, intending to stop at different points along the Mississippi River and there take on Cargo. That, on the Seventh Day of June, last past, about the hour of 2 o'clock P. M., while the said Steamer was making a landing at Bougere Landing, she struck a snag or some hidden obstruction, knocking a whole in her bottom, causing her to leak and finally to sink, and the said Master hereby enters this Note of Protest accordingly to serve and avail him hereafter, if found necessary.

Sworn to & subscribed before me
New Orleans June 8 1900.

W. A. Duke

Emile J. Barnett

Notarial Archives
Research Center
1340 Poydras St, Suite 360
New Orleans, LA 70112

And the said Master further says, that all the damage and injury which already has, or may hereafter appear to have happened or accrued to the said Steamer, Vessel or Craft or her said cargo, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steamer, Vessel or Craft or default of him, the deponent, nor of his officers and crew; WHEREUPON: he requires me, NOTARY aforesaid, to make his PROTEST, and this public act thereof that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said Master doth PROTEST, and I, the Notary, at his instance and request do, by these presents, PUBLICLY AND SOLEMNLY PROTEST against winds, weather, [illegible]

and against every accident, matter or thing had and met with as aforesaid whereby or through means of which the said Steamer, Vessel or Craft or her cargo already has or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer, Vessel, or Craft, the owner or owners of the said Steamer, Vessel or Craft or the owners, freighters or shippers of her said cargo or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put into by or on account of the premises, or for which the insurer or insurers of the said Steamer, Vessel or Craft or her cargo is or are, respectively liable to pay or make good by contributions or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him, the said Master, his officers and crew.

THUS DONE AND PROTESTED, at my office, in the CITY OF NEW ORLEANS, aforesaid, the [illegible] day of June in the year of our Lord, one thousand [illegible] and ninety [illegible] in the presence of Manuel L. Drei[illegible] and John P. Carey competent witnesses, who here[illegible] their names with said appearers, and me, Notary, John Nash declaring he is illiterate and cannot write or sign his name but makes his mark.

ORIGINAL SIGNED BY

John P. Carey

John P. Carey

H. A. Rush

W. L. Penney

Geo. G. Dibble

J. Rothery

Jno. X. Nash

his mark

Edwd. J. [illegible]

I HEREBY CERTIFY the foregoing to be a true copy [illegible] Original Act of Protest, extant in my current Register. In F[illegible] WHICH, I hereby grant these Presents under my signature and [illegible] office at NEW ORLEANS, this [illegible]

of [illegible] eighteen hund[illegible]

ninety [illegible]

Notary P[illegible]

Protest Extended.

Protested June 11 1890

Sent

Returned

Returned

United States of America
State of Louisiana, City of New Orleans

[168A] **BY THIS PUBLIC INSTRUMENT OF PROTEST,** Be it known, That before me Emile J. Barnett, a Notary Public duly commissioned and qualified, in and for the Parish of Orleans, State of Louisiana, and dwelling in the City of New Orleans.

Personally Came and Appeared W. A. Duke, Master of the Steamboat called the *T. P. Leathers*, who having therefore to wit: on the Ninth day of June 1900 and before Me, Notary, doth therein set forth, his PROTEST in due form of Law; now requires me, Notary, to EXTEND SAID PROTEST:

And with the said W. A. Duke ALSO CAME AND APPEARED William Penny, Pilot, JF Duke, Mate, Geo [illegible], Carpenter, Jno Nash, Watchman, all belonging to the said Steamboat all of whom begin sworn, do voluntarily, freely and solemnly DECLARE AND DEPOSE as follows- that is, they, the said appearers, departed in and with the said Steamboat in their capacities, aforesaid, from Carriola, Arkansas taking on board fuel and intending to take on cargo at various points on the Mississippi River and bound for the Port of New Orleans … that the said Steamboat was then stout, staunch and strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualed, appareled and appointed, and was in every respect fitted for the voyage she was about to undertake:

They left Carriola, Ark. After taking on fuel, and proceeded down the Mississippi River, all things going well, the Boat making about twenty Landings along the River at different points in order to take on Cargo and Passengers between Carriola, Ark. And Natchez, Miss. which latter place was reached at 9:30 o'clock A.M. on (blank space) They left Natchez, Miss. at 10:15 A.M. of the same day, and proceeded on their voyage with nothing of note occurring until 3 o'clock P. M., of the same day, when making the Landing at Bougere's Landing, the Boat, proceeding under slow steam, struck some hidden obstruction, causing her to jar and rebound.

A hasty examination was made and it was found that there was a large hole in her Port Side, forward of the Boilers, abreast of the Coal Bunkers. Efforts were made to spread a tarpaulin over the hole and thus stop the flow of water, but, the hole being so large, the tarpaulins were drawn through as fast as placed; in the meantime, the Boat was headed for the Banks and a line run out and made fast to a post set in the ground and used for the purpose of making Boats fast when landing. As it was found impossible to in any way check the flow of water, which was running into the Boat so rapidly as to cause her to careen, and, fearing she would turn over, the passengers and Crew were put ashore immediately for safety.

The strain being so great on the post that it was pulled out of the ground, and the Steamer slid out into the current and drifted down the River.

The Mate and two men were sent along the Bank to follow her and try to make her fast, should she float near enough to the Bank, and lodge; they followed her for a distance of about five miles, when on account of her excessive careening, the Cabin floated off and the Hull turned bottom up, sinking with the Stern in about sixty feet of water and the Bow about ten feet out of the water. As there was no possibility of saving anything, the men left the wreck and proceeded to Tarbart's Landing, and from there, to New Orleans.

When the Boat struck the hidden obstruction, she had some passengers, about Eighty Bales of Cotton, about Sixteen hundred Sacks of Cotton Seed, a few sundry articles on board, and some money in the Safe. During the entire voyage, up to the time of striking the obstruction, all lights and watches were carefully attended to.

MARINE NOTE OF PROTEST

PORT OF NEW ORLEANS, JUNE 8th, 1900

On this Eighth Day of June, in the year of our Lord, 1900, before me, EMILE J. BARNETT, a duly commissioned Notary Public for the Parish of Orleans, State of Louisiana, in the United States of America, personally appeared W. A. DUKE, Master of the Steamboat called the "*T. P. Leathers*", of burden of 509 Tons, or thereabouts, and declared that on the Sixth day of June last past, they left Carriola, Ark., with the said Steamboat, intending to stop at different points along the Mississippi River and there take on Cargo, That, on the Seventh Day of June, last past, about the hour of 2 o'clock P. M., while the said Steamer was making a landing at Bougere Landing, she struck a snag or some hidden obstruction, knocking a whole in her bottom, causing her to leak and finally to sink, and the said Master hereby enters this Note of Protest accordingly to serve and avail him hereafter, if found necessary.

Sworn to & subscribed before me,} W. A. Duke
New Orleans, June 9, 1900.
Emile J. Barnett, Not. Pub.

And the said Master further says, that all the damage and injury which already has, or may hereafter appear to have happened or accrued to the said Steamer, Vessel or Craft or her said cargo, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steamer, Vessel or Craft or default or him, the deponent, nor of his officers and crew: WHEREUPON: he requires me, NOTARY aforesaid, to make his PROTEST, and this public act thereof that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said Master doth PROTEST, and I, the Notary, at his instance and request do, by these presents, PUBLICLY AND SOLEMNLY PROTEST against winds, weather, hidden obstructions, and against every accident, matter or thing had and met with as aforesaid whereby or through means of which the said Steamer, Vessel or Craft, the owner or owners of the said Steamer, Vessel or Craft or the owners, freighters or shippers of her said cargo or any person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put into by or on account of the premises, or for which the insurer or insurers of the said Steamer, Vessel or Craft or her cargo is or are, respectively liable to pay or make good by contributions or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him, the said Master, his officers and crew.

THUS DONE AND PROTESTED, at my office, in the CITY OF NEW ORLEANS, aforesaid, this 9th day of June in the year of our Lord, one thousand Nine hundred in the presence of Marcel T. DuCres and John P. Casey competent witnesses, who hereunto sign their names with said appearers, and me, Notary. John Nash declaring to be illiterate and not learning to writ or sign his name has made hereto his usual mark.

[Signatures] M. F. DuCres, John P. Casey, W. A. Duke, W. C. Penney, Jas F. Duke, G. [illegible], Jno "X" Nash, Emile J. Barnett, Not. Pub.

[This document, 168A, was a supplemental document within a larger document regarding a parcel of property belonging to Aristide Bougere, the owner of the Steamboat, *T. P. Leathers*]tar

part as lessees, shall be well and truly performed.

Thus Done and Passed at the City of New-Orleans, in presence of St. B. Cenas and Amadee Morel, witnesses, who hereunto sign their names, together with the parties and me, the said notary, on this second day of June, One thousand Eight hundred and twenty-nine.

St. B. Cenas — H. Cullet, Y. Lyon

Amadee Morel

No. 591
June 1829
Protest.
By
Michl. Carune
Capt. of Sloop
Walk in the Water

State of Louisiana
City of New-Orleans

By this Public Instrument of Protest, Be it Known, that, On this second day of June, One thousand Eight hundred and twenty-nine, Before me, William Christy, a Notary Public, duly commissioned and sworn in and for the City and parish of New-Orleans, State of Louisiana.

Personally came and appeared Michael Carune, late Master of the Sloop, called the "Walk in the Water", of the burthen of about Twelve tons, belonging to the Port of New-Orleans, in this State, together with John Smith, late Seaman on board the said ~~Schooner~~ Sloop;

Who, being Severally Sworn on the Holy Evangelist of Almighty God, to declare the truth, did

(58 8)

depose and say, that, they sailed last from the port of Springfield, in the parish of Saint Helena in this State, on Thursday, the fourteenth day of May last, laden with ten Bales of Cotton and fire-wood, bound for New-Orleans, that, when said Vessel sailed as aforesaid, she leaked some, but was well provided and was thought capable of performing a Voyage; that, on Friday, the Fifteenth they crossed lake Maurepas to the Manchac pass, where they remained until Sunday, the Seventeenth, the Wind being ahead, during which time nothing material occurred that, on the said Sunday Morning, they made sail ~~and crossed the Bar~~, the Wind being still ahead; that, in beating, the Vessel began to leak, which increased so rapidly, that, they found it necessary to put back, after getting out a few miles; that, they exerted themselves to get her back to shore, but found it impossible to do so, the leak increased so rapidly, they threw all the deck load, and over-board, ~~which~~ but she sunk in despite of their endeavors about one hundred yards out from the South point of the Manchac pass in about ten feet water, on Sunday, the said ~~Fifteenth~~ seventeenth day of May last, about twelve O'clock that, the Wind increased, and they, the said appellants saved their lives by getting on shore, on one of the Cotton bales soon after the Vessel sunk, that the Wind continued to increase and blow very hard for five or six days; that, they remained on the South point of the said Pass, without any means of saving the said vessel or any part of her Cargo, when they were relieved on the third day by the Schooner May-Flower which landed them on the north side of the point at the said pass, from which place they were enabled to reach the Settlements in the interior, and that, they have had no means of Conveyance

to this port since the said Accident, until now, when they arrived this day.

And therefore, the said appearers and especially the said Master, did protest, and with them of the Notary, at his, the Master's request, do most solemnly and publicly protest against the Winds and the Waves and the dangers of the lakes generally, but more particularly against the Accident herein before set forth, as the cause of the loss and damage sustained and to be sustained in the premises, and that no fault, negligence or mismanagement is or ought to be ascribed to the said appearers.

Thus Done and Protested at the City of New-Orleans, On the day, month and year first above written, the protestors hereunto signing their names with me, the said Notary. Seven words erased void. Two interlined approved.

Michael Cagrone

John Smith

Agricola Field

Wm Christy

Chas Roe

---

592. State of Louisiana
June 1829. City of New-Orleans
Slave
Ry
Field
To
Nathan Lewis

Be it Known, that this day, Before me William Christy, Notary Public, duly commissioned and sworn in and for the City and parish of New-Orleans, State of Louisiana

Personally came and appeared Theophilus Agricola Field, of Brunswick County, State of Virginia, Who declared, that, for and in consideration of the sum of One hundred and Fifty Dollars, to him in

State of Louisiana
City of New Orleans

2 June 1829
Protest By Michael Carune,
Capt. of Sloop, "*Walk in the Water*"

[507] By this Public Instrument of Protest, Be it Known that, on this Second day of June, One thousand eight hundred and twenty-nine, Before me, William Christy, Notary Public, duly commissioned and sworn in and for the city and parish of New Orleans, State of Louisiana,

Personally came and appeared Michael Carune, late Master of the Sloop called the "*Walk in the Water*" of the burthen of about Twelve tons _____ belonging to the Port of New Orleans, in this state together with John Smith, late seaman on board the said sloop.

Who, being severally sworn on the Holy Evangelist of Almighty God, to declare the truth, did

[508] depose and say that they sailed last from the port of Springfield in the parish of Saint Helena in this state, on Thursday, the fourteenth day of May last, laden with ten Bales of Cotton and fire-wood, bound for New Orleans, that, when said vessel sailed as aforesaid, She leaked some, but was well provided and was thought capable of performing a Voyage, that, on Friday, the Fifteenth, they crossed lake Maurepas to the Manchac pass, where they remained until Sunday, the Seventeenth, the Wind being ahead, during which time nothing material occurred that, on the said Sunday Morning, they made Sail__ the Wind being Still ahead, that in beating the vessel began to leak, which increased so rapidly, that, they found it necessary to put back, after getting out a few miles, that, they exerted themselves to get her back to Shore, but found it impossible to do so, the leak increased so rapidly, they threw all the deck load of wood over-board, but She Sunk in despite of their exertions about one hundred yards out from the South point of the Manchac pass in about ten feet water, on Sunday, the said Seventeenth day of May last, about twelve O'clock that the Winds increased and they, the said appearers saved their lives by getting on Shore, on one of the Cotton bales. Soon after the Vessel sunk, that the wind continued to increase and blow very hard for five or Six days, that they remained on the South point of the said pass, without any means of saving the said Vessel or any part of her Cargo, when they were relieved on the third day by the Schooner May Flour, which landed them on the north side of the point, at the said pass from which place they were enabled to reach the Settlements in the interior and that, they have had no means of conveyance

[509] to this port since the said accident until now where they arrived this day.

And therefore, the said appeared and specially the said Master did protest and with them, I, the Notary, at his, the Master's request, do most solemnly and publicly protest against the Winds and the Waves and the dangers of the lakes generally but more particularly against the accident herein before set-forth, as the cause of the loss and damage sustained and to be sustained in the premises, and that no fault, negligence or mismanagement is or right to be ascribed to the said appearers.

Thus Done and Protested at the city of New Orleans, On the day, month and year first above-written, the protestors hereunto signing their names with me, the said Notary.

[Signatures] Michael Carune John Smith Wm. Christy, Not Public

and to all intents and purposes with the same validity as if all and every such act, matter or thing were or had been herein particularly stated, expressed and especially provided for or as they the said Constituents might or could do, if personally present, also with full power of substitution and revocation, the said Constituents hereby agreeing to ratify and confirm all and whatsoever the said Attorney shall lawfully do or cause to be done by virtue of this act of Procuration.

Thus done and passed in my office at the city of New Orleans aforesaid, in the presence of Hilary B Cenas and David L McCay witnesses of lawful age and domiciliated in this city, who hereunto sign their names, together with the said appearer and one the said notary, on this Eleventh day of May in the year one Thousand Eight hundred and thirty-one / two words interlined and four erased / null

Saul Miller
Per Pearn

H B Cenas

David L McCay

Wm Christy
Not Pub

11th May 1831
Protest
Flat Boat
at request of
Moses D Payton
master

State of Louisiana
City of New Orleans
Parish of New-Orleans, State of Louisiana aforesaid, duly commissioned and sworn;

Be it Known, that this day, before me William Christy, a notary Public in and for the city and

Personally came and appeared Moses D Payton master of the flat Boat called the "Angel" and with him also came and appeared William R Miller, Jesse H Eguew, Dudley Isham and Gabriel Brown, all of whom being severally sworn by me the notary, on the Holy Evangelists of Almighty God the truth to declare did depose and say, that the said flat boat left Columbia Duck River, Tennessee, on the twenty ninth day of March last past laden with four hundred and twenty three bales of Cotton consigned to sundry persons in this city, ~~on the twenty ninth day of March last past~~ that they proceeded on their voyage nothing material occurring and landed on this side of the River Mississippi at the Point about four miles above this city on the Seventh day of May instant that on the same day being Saturday the Seventh day of the present month the weather being fine they left their moorings about the hour of nine o'clock A.M. the boat being well manned, light laden and strong; that soon after leaving the shore the wind arose and drove them across the river, where the boat struck with strong violence against the [illegible] on the next day being Sunday the Eighth instant at [illegible] o'clock A.M. they procured the Steam Boat Red Rover to shore, that they

tow the said flat Boat into Port, that in coming along side the said steam Boat struck the said flat boat on the side and caused her to spring accordingly the said Steam Boat took the said flat boat in Tow, but the rope breaking, the said flat boat was again blown into the shore where she struck a second time, that a second attempt was made by the said Steam Boat to take the said flat boat in tow in which the former struck the latter on the side which caused her to spring a leak and then left her that by great exertions the said flat boat was then landed at the Ferry opposite this city, all hands being then employed at the pump and leak increasing; that about one hour after landing the Steam Boat Shakte was employed to tow the said flat boat across the river, that in coming along side she also struck the said flat boat on the side knocked in the plank immediately above the gunnel, and stove in the corner stud which caused the leak to increase rapidly she then took the said flat boat in tow and brought her into this Port where she sunk in about one hour, notwithstanding about Twenty hands were employed to prevent it

Now therefore because of the premises and as all the damage and injury which already have or may hereafter appear to have happened, or accrued in consequence of the accidents aforesaid have been occasioned solely by the circumstances therein before stated and cannot nor ought not to be attributed to any insufficiency of the said flat boat or default of him the said master or his crew; he the said master who requires me the said Notary to make his protest and the Public act thereof that the same may serve and be in full force and virtue as of right shall appertain; and the said William R. Miller who was on board the said flat boat when the first excited accident occurred with the said Steam Boat Red Rover and the said Bradley Brown who were also Brown who were on board the said flat boat immediately after the second accident occurred with the said Steam Boat Shakte and when the said flat boat sunk, doth depose in conformity and agree with the said Moses Taylor master in particular contained stated and expressed in the foregoing protestation and solemnly declare the same to be true in every respect so far as concerning himself to the occurrences which happened during the time he was on board the said flat boat and the said Steam Boats aforesaid

And thereupon the said Moses Taylor doth protest and I the said Notary at his special instance and request do be there present, publicly and solemnly protest against the inevitable accidents above and all and singular

or hereby or by means whereof, the said flat boat and the cargo thereon have been lost or impaired; for all losses, costs, charges, expenses damages and injury, which the said Moses D. Payton, master, or the owner or owners freighters, or shippers of the said flat boat and her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur or be put unto by or on account of the premises, or for which the Insurer or Insurers of the said flat boat or her cargo is or are respectively liable, to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred do fall on him the said Moses D. Payton, or on his crew.

Thus done and passed in my office at the city of New Orleans aforesaid, in the presence of Hilary Bennet and David L. McCay witnesses of lawful age and domiciled in this city, who hereunto sign their names, together with the said parties, and me the said Notary on this Eleventh day of May in the year one Thousand Eight hundred and Thirty one

Forty words interlined approved / thirty two words erased, read / the words "Dudley Isham and" restored,

Moses D. Payton
~~Humphrey Smith~~
Dudley Isham
George Brazer
Thos. R. Miller

H. B. Cenas
David L. McCay
Wm. Christy
Not. Pub.

19th May 1830
Abner Ellis & Benj. Burgess
to
John Bartlet
Sale of vessel

State of Louisiana
City of New Orleans } Be it Known, that this day before me William Christy a notary Public in and for the city and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and sworn;

Personally came and appeared Lemas Doane of Orleans, County of Barnstable, in the State of Massachusetts, hereon acting as the agent and attorney in fact of Abner Ellis and of Benjamin Burgess of same place by virtue of a power of attorney in the words and figures following, to wit:

"Know all men by these presents, That we Abner Ellis & Benjamin "Burgess of Eastdorch in the county of Barnstable have constituted, "ordained and made, and in our stead and place put, and by these "presents do constitute, ordain and make, and in our stead and place put "Lemas Doane of Orleans, in the County aforesaid to be our true "sufficient and lawful attorney for us and in our name and stead

11th May 1831
Protest
Flat Boat
At request of Moses D Payton
Master

State of Louisiana
City of New Orleans

[361] Be it known, that this day before me William Christy a notary Public in and for the city and Parish of New Orleans, state of Louisiana aforesaid, duly commissioned and sworn;

Personally came and appeared Moses D Payton Master of the flat Boat called the "*Ariel*" and with him also came and appeared William R Miller, Jesse W Equeis, Dudley Isham and Gabriel Brown, all of whom being severally sword by me the Notary, on the Holy Evangelists of Almighty God, the truth to declare, did depose and say that the said flat boat left Columbia, Duck River, Tennessee on the Twenty-ninth day of March last past, laden with four hundred and twenty-three Bales of Cotton consigned to sundry persons in this city, that they proceeded on their voyage nothing material occurring, and landed on this side of the River Mississippi at the point about four miles above this city on the Seventh day of May instant that on the same day being Saturday of the Seventh day of the present month, the weather being fine, they left their moorings about the hour of nine o clock for this port- And the boat being well manned, tight staunch and strong, that soon after leaving the shore the wind arose and drove them across the river where the boat struck with such violence against the shore that on the next day being Sunday the Eighth instant at Eleven o'clock they procured the Steam Boat *Red Rover* to

[362] tow the said flat Boat into Port, that accordingly the said Steam Boat took the said flat boat in Tow, but the rope breaking, the said flat boat was again blown into the shore where she struck a second time, that a second attempt was made by the said Steam Boat, to take the said flat boat in tow, in which the former struck the latter on the side which caused her to spring a leak and then left her, that by great exertions the said flat boat was then landed at the Ferry opposite this city, all hands being then employed at the pump and leak increasing, that about one hour after landing the Steam Boat *Shark* was employed to tow the said flat boat across the river, that in coming along side, She also struck the said flat boat on the side, knocked in the plank immediately above the gunnel, stove in the corner stud which caused the leak to increase rapidly, she then took the said flat boat in tow and bought her into this Port, where she sunk in about one hour notwithstanding about Twenty-hands were employed to prevent it.

Now therefore because of the premises and as all the damage and injury which already have or may hereafter appear to have happened or accrued in consequence of the accidents aforesaid have been occasioned solely by the circumstances hereinbefore stated and cannot nor ought not to be attributed to any insufficiency of the said flat boat or default of him the said Master or his crew, he the said Master, now requests me the said Notary to make his protest and that Public act thereof that the same may serve and be in full force and virtue, as of right shall appertain; and the said William R Miller who was on board said Steam Boat and Jesse W. Equeis who was on board the said flat boat when the first [illegible] accident occurred with the said Steam Boat *Red Rover* and the said Gabriel Brown who was on board the said flat boat immediately after the second accident occurred with said Steam Boat *Shark* and when the said flat boat sunk doth depose to concur and agree with the said Moses Payton Master [illegible] particular contained stated and expressed in the foregoing relation and solemnly declare the same to be true in every respect and one confirming himself to the occurrences which took place to be true, he was on board the said flat boat and the said steam boat as aforesaid.
He was on board the said flat boat as aforesaid.

And thereupon the said Moses D Payton doth protest and I the said Notary at his special instance and request do by these presents, publicly and solemnly protest against the unavoidable accidents that had and met with as aforesaid

[363] soberly or by means whereof, the said boat and cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Moses D Payton, Master, or the owner or owners freighters, or shippers of the said flat boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the Insurer or Insurers after said flat boat or her cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Moses D Payton, or on his crew.

Thus done and passed in my office, at the city of New Orleans aforesaid, in the presence of Hillary B Cenas and David L McCay witnesses of lawful age and domiciliaited in this city, who hereunto sign their names together with the said parties and me the said Notary on this Eleventh day of May in the year one Thousand Eight hundred and Thirty-one

[Signatures] Moses D Peyton, Dudley Isham, Gabriel Brown, Wm R. Miller, A. B. Cenas, David L. McCay, Wm Christy, Not. Public

State of Louisiana
City of New Orleans

1st March 1834
Protest
by
Capt
Thomas
Hoffman

Be it known, that this day before me William Christy
a Notary Public in and for the said City and Parish
of New Orleans duly commissioned and qualified
Personally Came and appeared
Thomas Hoffman Captain of Steam Boat Rockaway, & James L. Hanna
one of the members of the firm of Hodgson & Hanna Merchants in Fore-
ign Alabama,
which said appearers after having
been duly sworn by me said Notary upon the Holy Evangelists
of Almighty God, depose and said that said Firm are own-
ers of Two certain Flat Boats, Numbered One and Two
that on the Sixth day of February
last they commenced loading the said Two Flat Boats at
the Florance Landing in the State of Alabama, that they fin-
ished loading one of said Boats at the said landing, and that
on the morning of the 8th they dropped said Boats down
the Tennessee River to the mouth of Cypress Creek, where
they took in about Ninety bales of Cotton, on the 9th they drop-
ped down about a mile further and took in one hundred
and fifty bales making in that Boat (No 1) Three hundred & Eighty
and the other, three hundred and one Bales of Cotton* that they Start-
ed from the last place of loading on the morning of the 9th and
arrived during the night about one mile above the head of
Colbert Shoals where they landed and separated said Boats
they having been lashed together and took them through said
Shoals separately and landed at the mouth of Beach Creek
where they again lashed said Boats together, all on the morning
of the 10th they then dropped down the River nothing occurring
worthy of relation or in any way material until their arrival
at Waterloo on the same day, when in attempting to land
the current being swift, they failed in getting close enough
to the shore by about five feet to make fast their table
and drifted down and run foul a cargo in contact with
another Flat Boat already landed, the point of the Gunwale
of the Boat which had landed struck the stern of the Boat
containing three hundred and one Bales in the middle of the stern
block and broke it entirely through, said Boats after striking
locking immediately passed and the one containing the 381
Bales sunk in about five minutes after striking the
Water rising to the middle of the third tier of Cotton from the
of Mast Mentor Board said Boat immediately

*meaning to said that Flat Boat with the lighter in tow by the Steam Boat mentioned in question might require, this reference affirmed:

Thos. J. Hoffman
Peter Hart

Wm. Christy
Not. Pub.

J. Neville
L. Turner

of assisting those already on board to effect a landing and that they succeeded at length in doing so, but not until it had arrived five miles below Waterloo, about 4 O'Clock the same evening but at a place where they could not possibly unload the Boat, and immediately after having made fast the said Boat, the said Benjamin Caney Master dispatched a messenger to the Town of Florence (Mrs Anderson & Hanna resided) with notice of said Boat for assistance, and in the afternoon of the 11th Mr Hanna came down to the Boat, with a Sled Boat and lighter with seven hands, and immediately commenced taking the Cotton out of the Boat which had been landed, and that about an hour after his arrival the Steam Boat Nashville came in sight, and put ten men of her crew on board said Boat for the purpose of assisting them, that they continued taking out the Cotton or unloading said Boat until 2 O'Clock in the morning when having succeeded in landing all the dry Cotton and a considerable portion of that which was wet, and the men being worn down they left off until day-light, when they again resumed the landing of the balance of the wet Cotton, and finished about 2 O'Clock with the exception of Eighty Bales of the Cotton in which they set on end in the Boat she having leaked and was bailed out, — and that they prest the proceeds of said Boat sold immediately before John L. Jones in the said Town of Waterloo, for necessary damage to the Boat and Cargo on account of the accident as above set forth all of which will more fully appear by reference to the annexed protest made by the said Fielding & the 13th July last,

For therefore because of the foregoing facts and as well the damage and injury sustained as may hereafter appear to have happened from an undue force of the lighting of said Boat, but was entirely the effect of the elements, therefore the said Claimant prays that the said Boat may be adjudged to be free from all liability for the said damage and injury and that the said Boat or default of the said Claimants may be released from the said Libel and that the said Claimants may be dismissed with their costs and charges.

and of right shall appertain.

Whereupon the Said Appearer doth protest, and the Said Notary at his Special instance and request, do by these presents publish and solemnly protest, against the unaccountable accident had and met with as aforesaid, whereby a big inland vessel, the Said Appearer, hence for all losses, costs, charges, expenses, damage & injury which the Said owners, freighters, or shippers of the Said Flat Boat, and her Said Cargo, or any other person or persons interested or concerned in either, already had, or may hereafter pay, sustain, incur, or be put unto by or on account of the Said premises, or for which the inland or interest of the Said Flat Boat or of her Said Cargo is or are respectively liable to pay, or make contribution or average according to custom or to their respective contracts or obligations and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall on him the Said Master his crew or on the Said owners or shippers of Said Boat and of her Said Cargo ——

Thus done and passed in my office at the Said City of New Orleans in the presence of M. Dimey and J. Reville witnesses of lawful age and domiciliated in this City who hereunto sign their names together with Said appearer and me Said Notary this third day of March one thousand Eight hundred and thirty four

M. Dimey

J. Reville

James J. Mannon

Oliver Watt

Wm Winter

N.P. Pub

3rd March 1834 State of Louisiana
Protest by City of New Orleans
O. Hart
J. J. Hart
Flat Boat

[453] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans and commissioned and qualified_____

Personally came and appeared Oliver Hart, Captain of Steam Boat, *Nashville*, & James J. Hanna one of the members of the firm of Anderson & Hanna Merchants in Florance Alabama, which said appearers after having been duly sworn by me Said Notary, upon the holy Evangelist of Almighty God, deposed and said that said Firm are of two of Two certain Flat Boats, known as One and Two, that on the Sixth day of February last they commenced loading the Said One Flat Boat at the Florance Landing in the State of Alabama, that they finished loading one of Said Boats at the Said landing, and that in the morning of the 8th they dropped Said Boats down the Tennessee River to the mouth of Cypress Creak, where they took in about Ninety bales of Cotton, on the 9th they dropped down about a mile further and took in one hundred and fifty bales, making on that Boat (No 1) Three hundred and Eighty five and the other, three hundred & ninety one Bales of Cotton, intending to use said Flat Boats [illegible] as lighters or to be taken in Tow by the Steam Boat *Nashville* as occasion might require, that they started from the last place of loading on the evening of the 9th and arrived during the night about one mile above the head of Colbert's Shoals where they landed and separated said Boats, they having been lashed together and took them through said Shoals separately, and landed at the mouth of Bush Creek where they again lashed said Boats together (all on the morning of the 10th) they then dropped down the River, nothing seeming worthy of relation or in any way material until their arrival at Waterloo on the same day, when in attempting to land the current being swift, they failed in getting close enough to the shore by about Six feet to make fast their cable and drifted astern and run foul or came in contact with another Flat Boat already landed, the front of the gunwale of the Boat which was landed struck the stern of the Boat containing three hundred & ninety one Bales in the middle of the stern block and broke it instantly through, Said Boats after striking, swung immediately round and the one containing the 391 Bales, sank in about five minutes after striking, the water rising to the middle of the third tier of Cotton, a number of men went on Board said Boat immediately for the purpose

[454] of assisting those already on board to affect a landing and that they succeeded at length in doing so, but not until it had drifted six miles below Waterloo, about 4 O Clock the same evening, but at a place where they could not possibly unload the Boat and immediately after having made fast the said Boats, Benjamin Carey, Sternsman, dispatched a messenger to the Town of Florence where Anderson and Hanna resided who are the owners of said Boats, for assistance, and in the afternoon of the 11th Mr. Hanna came down to the Boat with a Keel Boat and lighter with Seven hands, and immediately commenced taking the Cotton out of the Boat which had been sunk and that about or within an hour after his arrival the Steam Boast, *Nashville*, came sight, and put ten men of her crew on board said Boat for the purpose of assisting them, that they continued taking out the Cotton or unloading said Boat until 2 O Clock in the morning, when having succeeded in loading all the dry Cotton and a considerable portion of that which was lost, and the men being worn down they left off until day-light, when they again resumed the loading of the balance of the wet Cotton, and finished about 2 O Clock with the exception of Eighty Bales of the Bottom in which they set on end in the Boat, She having lighten and been baled out,- and that they made the protest of said Boat, noted immediately before John L. [illegible] in the said Town of Waterloo, fearing damage to the Boat and Cargo on account of the accident as above set forth all of which will more fully appear by [illegible] to the annotated protest made by the said [illegible] on the 13th Feby [sic] last.

Now therefore, because of the premises, and as all the loss, damage and injury, which had or may hereafter appear to have happened in consequence of the sinking of said Boat, had solely by the circumstances herein stated and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of the him, He the said Hanna, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and be in full force and virtue

[455] as of right shall appertain.

Whereupon the said Hanna doth protest and I the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unaccountable accident had and met with as aforesaid soberly or by means whereof, he the said Hanna, feared that, damage to the said Boat and Cargo has occurred for all losses, costs, charges, expenses, damage and injury, which the said owner, freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said Flat Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or coverage, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his said officers and crew, or on the said owners or shippers of said Boat and of her said Cargo.

Thus done and passed in my office, at the said City of New Orleans in the presence of W. Gimsey and J. Neville, witnesses of lawful age and domiciliaited in this City who hereunto sign their names together with said appearers and me, Notary, this third day of March One Thousand Eight hundred and thirty-four

[Signatures] W. Gimsey, J. Neville, James J. Hanna, Oliver Hart, Wm Christy, Not Public

State of Louisiana
City of New-Orleans

Be it known, that, this day before me, William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified,

Personally came & appeared James L. Kirby, master of a certain Flat Boat belonging to Jarrard and Blair Flat Boat Merchants in the Town of Louisville in the State of Kentucky, and with him also came and appeared Hiram Coleman, mate and seven other hands employed on Board said Boat, which said appeared, after having been duly sworn by me said Notary upon the holy Evangelists of almighty God, did depose and say that on the 9th day of November last they sailed from the Town of Louisville in the State of Kentucky with a Cargo of Five hundred and twenty nine Barrels of Flour, that, they were bound for this Port, and that their said Cargo was consigned to Messrs. Wallace Lambeth & Pope of this City, merchants, that they proceeded down the Ohio River without anything material occurring until the Evening of the 14th November last, between the hours of 5 and 6 O'Clock, when in passing the lower end of Flint Island the Bow of their said Boat touched slightly another Flat Boat lying aground in the Channel, which Concussion started a leak in their said boat, on discovery of which they immediately anchored, and proceeded to stop said leak, in which they succeeded in a great measure at least so far that they could then have succeeded in reaching the Shore and securing their Boat and Cargo, had there not been other Flat Boats immediately behind them, when finding that those in their rear were closing on their Boat very fast they cut the cable to which their anchor was attached and then endeavoured to reach the Shore as fast as possible, and in doing so they run on a bone stretched across the Channel from the Steam Boat Paul Jones which was made fast to a tree on the Kentucky side, that, before they could release themselves another Flat Boat belonging to Lemmel and Charles Wells, run on the same line and swung against their said Boat which Concussion carried both Flat Boats to land before they could reach the Shore, although every possible exertion was made by the officers and Crew of their said Boat to prevent the same, that the said Master immediately procured all the hands in his power to assist

in taking out the said Cargo, which was entirely under their
and that they succeeded in four days in doing so, that im-
mediately after the sinking of said Boat and the said Cargo
the said Master dispatched a Messenger to Louisville for
the purpose of procuring a Steam Boat to stop and take
their said Cargo on board, that said Messenger procured
the Steam Boat Mediterranean, which stopped and took
their said Cargo on board on the 27th day of November
last, that the Boat proceeded down the Ohio & Mississippi
Rivers, without any unnecessary delay and arrived at this
Port yesterday the 5th day of December instant at 12 O'
Clock, — and they further declared, that immediately after
taking out said Cargo, that the said Master and Crew
of said Boat proceeded before William Sigigard a Justice
of the Peace in and for the County of Perry, in the State of In-
diana, before whom they made a Statement of the facts relative
to the sinking of the said Boat and Cargo, which Statement
was reduced to writing, by the said Justice of the Peace, sworn
to and subscribed by the above aforesaid and dated on the 19th
day of November last, which declaration and Statement was
exhibited to me said Notary by the said Master, to whom
the same was returned, and who hereby acknowledged the
receipt thereof

Now therefore because of the premises
and of all the damage, and injury which already has or
may hereafter appear to have happened or accrued in
consequence of the aforesaid accident, cannot nor ought not
to be attributable to any insufficiency of the said Boat or
default of him the said Master or that of his Crew

Wherefore he the said Master requires
me the said Notary to extend his said declaration or protest a-
gainst the aforesaid accident had and protest as aforesa-
id, and this public act thereof that he, same may serve
and remain in full force and virtue as of right shall
appertain, and therefore the said Notary protested, and do hereby
protest at his special instance and request to by this public
protest and solemnly protest against the unnecessary acci-
dent had and not mentioned aforesaid, for all losses costs
charges expenses damages and injuries which he the said
Master, or the owners, freighters or shippers of the said
Boat Star, and his said Cargo, or any other person or persons

unpaidth or incurred in either, already have or may hereafter by, Indian incur or be possible by or on account of the said friends or for which the return or return of the said Free Negro or Free Mulatto Lage, it or we respectively shall be by, or make contribution or image, according to custom or to their respective contracts or obligations, and that one fourth of such total and expended, already incurred or hereafter to be incurred do fall on him the said Shirley Martin or on his offered and Chas

Done and passed in my Office at the said City of New Orleans in the presence of Mr. Jimmy and C.W. Cammack, Witnesses of lawful age and domiciliated in this City who hereunto sign their names together with said appearers and me said Notary this Sixth day of December One Thousand Eight Hundred and Twenty Four *

J. B. Shirley

S. B. Foster

* and at the moment of signing the said Coleman declared that he did not know how to write or sign his name, wherefore he marked his usual mark to these presents after the same had been read and explained to him by me said Notary (the defense offered)

Hiram his × mark Coleman

C.W. Cammack

A. Jimmy

State of Louisiana
City of New Orleans

[479] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified

Personally came and appeared James L. Kirby, Master of a certain Flat Boat belonging to Samuel and Isaac [illegible] Merchants in the Town of Louisville, in the state of Kentucky, and with him also came and appeared Hiram Coleman and Samuel Foster, hands employed on Board said Boat, which said appeared, after having been duly sworn by me, said Notary upon the holy Evangelists of Almighty God, did depose and say that on the 9th day of November last they sailed from the Town of Louisville in the State of Kentucky with a Cargo of Six hundred and sixty-nine Barrels of Flour, that they were bound for this Port, and that their Said Cargo was consigned to Messes. Wallace Lambert & Pope of this City, Merchants, that they proceeded down the Ohio River without anything material occurring until the Evening of the 14th November last, between the hours of 5 and 6 O'Clock, when in passing the lower end of Flint Island the Bow of their Said Boat touched slightly another Flat Boat lying aground in the Channel, which concussion started a leak in their Said boat. On discovery of which they immediately anchored, and proceeded to stop said leak, in which they succeeded in a great measure at least so far that they could then have succeeded in reaching the Shore and securing their Boat and Cargo, had there not been other Flat Boats immediately behind them, when finding that [illegible] in their lens were closing on their Boat very fast they cut the cable to which their anchor was attached and then [illegible] around to reach the Shore as fast as possible, and in doing so they ran on a line stretched across the Channel from the Steam Boat *Paul Jones* which was made fast to a tree on the Kentucky side, that, before they could release themselves another Flat Boat, belonging to Samuel and Charles Kells, came on the same line and swung against their Said Boat, which concussion caused both Flat Boats to sink before they could reach the Shore, although every possible exertion was made by the officers and Crew of their said Boat to prevent the same, that the Said Master immediately procured all the hands in [illegible] to assist

[480] in taking out the said Cargo, which was entirely under water, and that they succeeded in four days in doing so, that immediately after the sinking of Said Boat and her said Cargo, the Said Kirby dispatched a messenger to Louisville for the purpose of procuring a Steam Boat to stop and take their said Cargo on board, that Said Messenger procured the Steam Boat *Mediterranean*, which stopped and took their said Cargo on board on the 27th day of November last, that She then proceeded down the Ohio and Mississippi Rivers, without any unnecessary delay and arrived at this Port yesterday the 5th day of December instant at 12 O' Clock and they further declared that immediately after taking out Said Cargo, that the Said Master and Crew of Said Boat proceeded before William Figgins a Justice of the Peace in and for the County of Perry in the State of Indiana, before whom they made a statement of the facts relative to the sinking of the Said Boat and Cargo, which statement was deduced to writing by the Said Justice of the Peace, sworn to and subscribed by the above appearers and others on the 19th day of November last, which declaration and statement was exhibited to me Said Notary by the Said Master to whom the Same was returned and who hereby acknowledges the receipt thereof

Now therefore because of the premises and as all the damage, and injury, which already has or may hereafter appear to have happened or seemed in consequence of the aforesaid accident cannot nor ought not to be attributable to any insufficiency of the Said Boat or default of him the Said Master or that of his Crew.

Wherefore he the Said Master requests me the said Notary to extend his said declaration in protest against the aforesaid accident had and met with as above state, and this Public act thereof that the same may have and be and remain in full force and virtue as of right shall appertain, and therefore the said Kirby, doth protest and I the said Notary at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid soberly or by means whereof, the said boat and cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Kirby, Master, or the owners freighters or shippers of the said Flat Boat and of her Said Cargo, or any other person or persons

[481] interested or concerned in either already have or may hereafter pay sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat, or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Kirby Master, or on his said officers and crew.

Thus done and protested in my office at the said City of New Orleans in the presence of MC Gimsey and C. W. Carmack, Witnesses of lawful age and domiciliaited in this City, who hereunto sign their names together with said appearers and me said Notary this Sixth day of December One Thousand Eight Hundred and Thirty Four, and at the moment of signing the said Coleman declared that he did not know how to write or sign his name, wherefore he marked his said mark to those present after the same had read and explained to him by me said Notary this defense approved,

[Signatures] Hiram X Coleman, C. W. Carmack, M C. Gimsey, J H Kirby, S B Foster, Wm Christy, Not Public

(502)

18 March 1855
Protest
of
Thomas Payne
master of St. Boat
Nashville

State of Louisiana
City of New Orleans

Be it known that this day before me William Christy a Notary Public in and for the Said City and Parish of New Orleans duly commissioned and qualified

Personally Came & appeared Thomas Payne, Master of the Steam Boat, called the Nashville, and with him also came and appeared Simeon Joyce, Pilot, John R. Boggs, Clerk, George White mate, and Francis Kendall Carpenter, all officers of Said Boat; which Said appeared after having been duly Sworn by me Said Notary upon the holy Evangelists, of Almighty God, deposed and Said, that the Said Boat left this Port, on the ninth day of February last, with an assorted Cargo on board, bound for Florence, in the State of Alabama, that, She proceeded up the Mississippi River, without anything occurring worthy of relation until the 14th day of February last, at which time they reached the foot of Island No. 69, about twelve miles above Montgomery's Point, at which place the Water Wheel on the Larboard Side, and Starboard main Shaft of Said Boat broke, as also the Fly Wheel Center and Cotter, that Said Boat was immediately Lashed, and all necessary repairs made, after which She proceeded up Said River, without anything further occurring, until she reached the foot of Island No 6, at which place they ascertained that Said Boat was leaking considerably in consequence of a plug after used by Boats for the purpose of letting water in, to Scalds, having been forced out by the freezing of Ice, or water, which plug was immediately replaced, and the Said Boat free from the water, that She then proceeded until She arrived opposite the foot of Island 80, on the 17th day of February last, between the hours of 12 & 1 Clock P.M. at which time & place She was in the act of being rubed and pushed by Steam Boats, when She struck a Snag, under water, and entirely concealed from view, which stove in the bow of Said Boat, and injured her so much, that she commenced filling so fast that with the united assistance of the Crew they could not prevent the water from coming on them, that they then immediately endeavored to land Said Boat in order of

possible, to have her, and the said Cargo, that they, Seamen
and on landing her, but were unable with the utmost
of the crew assembled of said Boat, to prevent her from filling
then every exertion was made for the purpose of taking out
the said Cargo, but that they were unable to get but a small
portion out, owing to the situation of said Boat, lying
on a bluff Bank on one side, & deep water on the other, to
avoid which the Boat is much as to cause momentary
apprehension of capsizing; and owing to the high fall
of water, and the bluff on the side, that, they proceeded on
immediately before John P. Compton a justice of the peace
in and for the County of Hickman, in the State of Ten-
nessee, on the 25th day of the said month of February, where
and before whom they deposed to the facts as above stated,
where and when they also made a note of their protest a-
gainst the said accident, which note of protest is an-
nexed in the margin hereof for reference.

Now therefore be it known
to all men, and as all the damage and injury, which other-
wise has or may hereafter appear to have happened or accrue
in consequence of the snagging and sinking of the said
Boat, and her said Cargo, as aforesaid, had been occa-
sioned solely and entirely by the circumstances as
hereinbefore stated, that no human foresight or knowledge
could by any possible means have prevented the same
from happening or occurring, and that the consequen-
ces of the said accident cannot, nor ought not to be at-
tributed to any insufficiency of the said Boat, (she being
in good condition and well found in every respect,) or de-
fault of him the said Master or that of his crew, wher-
fore the said Master requested me said Notary to make
his protest against said accident & the consequences of
the same, and this public act thereof, that the same may
remain and be in full force and virtue as of right shall
appertain.

Whereupon the said Thomas Payne
Master, doth protest, and I the said Notary at his spe-
cial instance and request do, by these presents publicly &
solemnly protest against the unavoidable accident
had, and met with as above stated, whereby, or by means
whereof great and irretrievable damage (if not total loss)
has accrued to the said Boat and her said Cargo, for

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all lost, cast, changed, expended, damage, and injury, which to the said Payne Master, or the owners, freighters, or shippers, of the said Boat, and of her said cargo, or any other person or persons interested, or concerned in either, already have, or may hereafter from certain, means, or be put into, by or on account of the said premises, or for which the owner, or interest of the said Steam Boat, or of her said Cargo, is or are respectively liable to pay, or make contribution, or average, according to custom, or to their respective contracts or obligations, and that no part of such lost, expended, already incurred, or hereafter to be incurred do fall on him the said Master, or on his officers and crew.

Thus done and passed in my office at the said City of New Orleans in the presence of M. Dimmy and C. M. Cammack, witnesses of lawful age, and domiciliated in the City, who hereunto sign their names, together with said appearers and me said notary this Eighteenth day of March one thousand Eight hundred and thirty five.

Thomas Payne

C M Cammack

M Dimmy

George Ricketts

Francis Rendall

Notarial Archives
Research Center
1340 Poydras St. Suite 360
New Orleans, LA 70112
DEC 03 2009

18 March 1835
Protest by
Thomas Payne
Master of St. Boat
Nashville

State of Louisiana
City of New Orleans

[502] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified

Personally came and appeared Thomas Payne, Master of the Steam Boat, called the "*Nashville*", and with him also came and appeared Samuel Joyce, Pilot, John B. Boggs, Clerk, George White, Mate, and Francis Kendall carpenter, all officers of Said Boat, which Said appearers after hearing from duly sworn by me Said Notary upon the holy Evangelists, of Almighty God, deposed and said, that the Said Boat left this Port, on the ninth day of February last, with an assorted Cargo on board, bound for Florence, in the State of Alabama, that, She proceeded up the Mississippi River, without anything occurring worthy of relation until the 14th day of February last, at which time they reached the foot of Island No. 69, about twelve miles above Montgomery's Point, at which place the Water Wheel on the larboard side, and starboard Main Shaft of Said Boat broke, as also the Fly Wheel Center and column, that Said Boat was immediately longside and all necessary repairs made, after, which She proceeded up Said River, without anything further occurring, until She reached the foot of Island No 6, at which place they discovered that Said Boat was leaking considerably in consequence of a plug aft (used by Boats for the purpose of letting water in to cleanse), having been forced out by the pressure of Ice, or water, which plug was immediately replaced, and the Said Boat freed from the water, that She then proceeded until She arrived opposite the foot of Island No 7, on the 24th day of February last, between the hours of 12 & 1 O'Clock P. M. at which time & place She was in the [illegible] channel [illegible] and pursued by Steam Boats, when She struck a snag under water, and entirely concealed from view, which stoved in the bow of said Boat, and injured her so much that She commenced filling so fast that with the united exertions of the Crew, they could not prevent the water from gaining on them, that they then immediately endeavoured to land said Boat on [illegible] if

[503] possible to save her and the said Cargo, that they succeeded in landing her, but were unable with the united exertions of the crew & passengers of said Boat to prevent her from filling, that every exertion was made for the purpose of taking out the said Cargo, but that they were unable to get but a small portion and, owing to the [illegible] of said Boat, being on a Bluff Bank on one side, & deep water on the other, towards which She Keeled so much as to cause momentary apprehension of capsizing, and owing to the hold being full of water, and the river on the rise, that, they proceeded immediately in and for the County of Hickman, in the State of Kentucky on the 25th day of the said month of February, where and before whom they deposed to the facts as above stated, where and when they also made a note of their protest against the said accident, which note of protest is [illegible] in the margin hereof for reference.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued in consequence of the snagging and sinking of the said Boat, and her said Cargo, as aforesaid, has been occasioned solely and entirely by the circumstances, as herein stated, that no human foresight or knowledge could by any possible means have prevented, the same upon happening or occurring, and that the consequences of the said accident cannot nor ought not to be attributed to any insufficiency of the said Boat (She being in good condition and well formed in every respect) or default of him the said Master or that of his crew, wherefore the said Master, requires me, the said Notary, to make his protest against said accident & the consequences of the same, and this public act

thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

Whereupon the said Thomas Payne Master, doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as above stated, whereby or by means whereof, great and inevitable damage (of not total loss) has occurred to the said Boat and said Cargo, for

[504] all losses, costs, charges, expenses, damage and injury, which the said Payne Master or the owners freighters or shippers of the said Boat and her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said Steam Boat or her said Cargo, is or are respectively liable to pay, or make contribution or coverage, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his officers and crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of H. Gimsey and C. M. Commack, witnesses of lawful age and domiciliaited in said City, who hereunto sign their names together with said appearers and me, said Notary this Eighteenth day of March One thousand Eight Hundred and thirty five.

[Signatures] CM Commack, H. Gimsey, Thomas Payne, S Joyce, J. B. Boggs, George White, Francis Kendall, Wm Christy, Not Pub

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23d March 1855
Protest
by
J. Forbis, master
of Flat Boat

State of Louisiana
City of New Orleans

Be it known that this day before me William Crosby a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified Personally came and appeared John Forbis, Master of a certain Flat Boat, owned by and belonging to Messrs Kimball & Hendry of Decatur in the State of Alabama and with him also came and appeared Thomas McGinley, a freeman on board said Boat, which said appeared after having been duly sworn by me said Notary upon the holy Evangelists of Almighty God, deposed and said as follows, viz.

The said Forbis, declared, that he left the Town of Decatur in the State of Alabama, about the 5th day of January last past that he proceeded down the Tennessee River and he had passed the Shoals at which place he completed the loading of the said Flat Boat having on board about two hundred and twenty Bales of Cotton, that he left the Shoals on the 1st day of February last past, with a free crew, the said Boat being sound, and tight, and was found in every respect, that he proceeded down the Ohio and Mississippi Rivers without any thing occurring worthy of notice save with the exception of the detention caused by ice, that at Vicksburg in the State of Mississippi he took the said McGinley on board as a passenger, and that he then proceeded onward having found the said Boat without anything happening until the night of the 22d instant at a landing on the Mississippi River about twelve miles above this City, where they were overtaken by a heavy flood which stranded the said Flat Boat, consequently that he said Master did not apprehend any damage, until about ten O'Clock in the morning when on examination he and ascertained that said Boat had sprung a leak, and had taken in a considerable quantity of water, that he ascertained that it was utterly impossible to keep said Boat afloat, in consequence of which he commenced unloading and discharging the cotton, and succeeded in saving about two hundred bales of said cotton, in good order, notwithstanding the Boat was sunk

of all hands to pump it, said Boat sank, with the balance of the Cargo on Board, all which they succeeded subsequently in getting out and placing on the Shore, where the whole of said Cargo now remains, but well protected ——

Now therefore be cause of the premises, and of all the damage and injury which already had, or may hereafter appear to have happened or accrued in consequence of the Sinking of the Said Boat, cannot, nor ought not to be attributed, to any misbehaving of the Said Boat, or default of him the Said Master ——

And now the Said McGinsey did desire to agree with the Said Forbes Master, in the foregoing Statement made by him, in every point and particular, so far as it regards the Said Voyage from the Said Town of Pickering to this Port ——

Wherefore the Said Master doth protest, and I the Said Notary at his special instance and request do by these presents publicly and solemnly protest, against the unavoidable accident has so met with as above stated, whereby or by means whereof, the Said Boat had been lost, and the Cargo materially damaged, for all losses, costs, charges, expenses, damage, and injury, which he the Said Master, or the owners, freighters or shippers, of the Said Boat, or of her Said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur, or be put unto, by or on account of the Said premises, or for which the owner or owners of the Said Boat, or of her Said Cargo, is or are respectively liable to pay or make contribution, or average, according to custom, or to their respective contracts, or obligations, and that no part of any such losses or expenses incurred, or hereafter to be incurred do fall on him the Said Master or on any of his own ——

Thus done and passed in my office at the Said City of New Orleans in the presence of W. Finny and C. W. Cammack witnesses of lawful age and domiciliated in

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that Cats who hereunto sign their names together with said assessors and the said return this twenty third day of March One thousand Eight hundred and thirty five

John Fowlis

O M Cammack

M Fimmin

O S L Finney

Wm Finney

Wm Park

State of Louisiana
City of New Orleans

23rd March 1835
Protest by
J. Forbis, Master
Of flat Boat

[542] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified

Personally came and appeared John Forbis, Master of a certain Flat Boat, owned by and belonging to Messes. Kimball & Hemsey of Decatur in the State of Alabama, and with him also came and appeared Thomas McGimsey, a passenger on board Said Boat, which Said appearers after having been duly sworn by me Said Notary upon the holy Evangelists of Almighty God, deposed and Said, as follows siz

The Said Forbis, declared, that he left the Town of Decatur in the State of Alabama, about the 5th day of January last past, that he proceeded down the Tennessee River until he had passed the Shoals at which place he completed the loading of the Said Flat Boat having on board about Two hundred and Seventy Bales of Cotton, that he left the Shoals on the 6th day of February last past, [illegible] the said Boat being sound and tight, and was found in every respect, that he proceeded down the Ohio – Mississippi Rivers without anything occurring worthy of relation with the exception of the [illegible] caused [illegible] that at Vicksburg in the state of Mississippi he took the said McGimsey on board as a passenger, and that they then proceeded onward being bound for this Port, without anything happening until the night of the 21st [illegible] at a landing on the Mississippi River about twelve miles above this City, where they (rest of page illegible)

[543] of all landed to (illegible top page)

Now therefore, because of the premises, and as all the loss, damage and injury, which already had or may hereafter appear to have happened or accrued in consequence of the sinking of the said Boat, cannot nor ought not to be attributed to any insufficiency of the said Boat or default of the said Master.

And now the said McGimsey did depose to agree with the said Forbis Martin, in the foregoing statement made by him, in every point and particular, so far as it regarded the said voyage from the said Town of Vicksburg to this Port.
Wherefore the said Master doth protest, and I the said Notary at his special instance and request do by these presents publicly and solemnly protect, against the unavoidable accident had and met with as above stated, whereby or by means whereof, the said Boat has been lost, and the Cargo materially damaged, for all losses, costs, charged, expenses, damage, and injury, which he the said Master, or the owners, freighters, or shippers of the said Boat or of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur, or be part unto, by or on account of the said premises, or for which the insurer or insurers after said Boat, or her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or any of his crew.

Thus done and passed in my office, at the said City of New Orleans in the presence of MC Gimsey and C. W. Carmack, witnesses of lawful age and domiciliated [sic] in

[544] this City who hereunto sign their names together with said appearers and me said Notary, this twenty third day of March One Thousand Eight hundred and thirty five.

[Signatures] CW Carmack, MC Gimsey, John Forbis, [illegible] McGimsey,
Wm Christy, Not. Pub.

11 April 1835
Protest
by
A. McLane
John Thompson

State of Louisiana
City of New Orleans

Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified

Personally came and appeared Hannan McLane, who with him also came and appeared John Thompson, which said appeared after having him duly sworn by me said Notary upon the holy Evangelists of almighty God, deposed and said, as that he the said McLane had in his charge two Flat Boats lying merely opposite the commencement of, or opening of St. Peter Street levee with Iron, that, on the 8th day of April instant, the Steam Boat Whale grabbed within a short distance of said Flat Boats and forced them about considerably, that immediately after the grabbing of said Steam Boat, they discovered that one of said Flat Boats had sprung a leak that, he the said McLean, with the hands on board said Boat made every possible exertion to free said Boat from the Water, and stop the leak, but finding that the Water gained upon them he the said McLane, called for assistance, which was freely, and cheerfully granted by the said Thompson & others, and now the said deponents jointly declared, that, they endeavored to get the said Boat ashore as quickly as possible to prevent her from sinking in deep Water, and that in order the more readily to effect this object, they informed the Captain of the Ship Eleanor, which was lying immediately above them, and the Captain of a Brig immediately below said Boat, that he was sinking, requesting them to have their hands & Cables slackened so that they could get said Boat ashore, which was immediately complied with by the Captain of the Brig, who slackened his hawser, but that the Captain of the Eleanor said he had no hands on board to slack his cable, that, they then offered to go on board said Vessel with hands enough to do it, but that he would not allow them to do so, and cursed much and rung harsh language to them, that they then attempted to force the said Boat over the Cable, and in doing so, she grounded upon it, filled, & more than with about fifty Tons of Iron belonging to A. G. Magee and they further declared that the said Cable, [illegible]

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might have been shadowed without a shadow of danger or damage to me, and that had it been done, the said Flat Boat and Cargo, could have been saved, and that the said accident occurred about 3 O'Clock P. M. on the 9th instant. Now therefore because of the premises, and of all the damage, and injury, which already has, or may hereafter appear to have happened or accrued, in consequence of, and by the sinking of the said Boat, has been occasioned solely and entirely, by the accident aforesaid, and that no prudent care have prevented the same, and that the consequences of the same cannot, nor ought not, to be attributed to any insufficiency of the said Boat or default of the crew; Wherefore, he the said McLane requires me the said Notary to make his protest of this fortuitous act thereof that the same may serve and be and remain in full force and virtue, as of right shall appertain.

Whereupon the said McLane at the protest, and I, the said Notary at his special instance, and request do, by these presents, publicly, and solemnly protest against the unavoidable accident had and met with as above stated, whereby or by means whereof the said Boat, and her said Cargo have been totally lost, for all losses, costs, charges, expenses, damage, and injury, which he the said McLane, or the owners, freighters, or shippers, of the said Boat, and of her said Cargo, or any other persons, or persons interested, or concerned in either, already have, or may hereafter pay, sustain, incur, or be put unto by or on account of the said premises, or for which the owner, or owners, of the said Flat Boat, and of her said Cargo, is or are respectively liable to pay or make contribution or average, according to custom or to their respective contracts, or obligations, and that no part of any such losses, & expenses, already incurred, whereafter to be incurred do fall on him the said McLane, or on any of the owners of said Boat.

And I have and protested of in my office at the said City of New Orleans in the presence of M. Fenning and C. N. Cornwall

Witnessed of lawful age, and domiciliated in this City who hereunto sign their names together with said appearers and me said notary this 5th day of April one Thousand Eight Hundred and thirty five

and now at the moment of signing the said McLane declares, that he was unable to sign his name in consequence of having one of his fingers broken, wherefore, he makes his mark to these presents

Duncan his McLane
mark

John his mark Thompson

M Finney

M Cormack

Wm Christy

Jos Peck

10 April 1835 **State of Louisiana**
Protest by D. McLane **City of New Orleans**
& John Thompson

[97] Be it known that this day before me William Christy a Notary Public in and for the City and Parish of New Orleans duly commissioned and qualified

Personally came and appeared Duncan McLane, and with him also came and appeared John Thompson, which said appearers after having been duly sworn by me said Notary upon the holy Evangelists of Almighty God, depose and said, by that he the said McLane had in his charge two Flat Boats lying nearly opposite the commencement of, or opening of St. Peter Street, laden with Iron, that, on the 8th day of April instant, the Steam Boat *Whale* passed within a short distance of said Flat Boats and forced them about considerably, that immediately after the passing of said Steam Boat, they discovered that one of said Flat Boats had sprung a leak, that, he the said McLean, with the hands on board said Boat, made every possible exertion to free said Boat from the Water, and stop the leak, but finding that the Water gained upon them he the said McLane, called for assistance, which was freely and cheerfully granted by the said Thompson & others, and now the said deponents jointly declared, that, they endeavoured to get the said Boat ashore, and quickly as possible to prevent her from sinking in deep water, and that in order the more readily to effect this object, they informed the Captain of the Ship *Eleanor*, which was lying immediately above them, and another Captain of a Brig immediately below said Boat, that She was sinking, requesting them to have their [illegible] & cables slackened so that they could get said Boat ashore, which was immediately complied with by the Captain of the Brig, who slackened his [illegible], but that the Captain of the Eleanor, said he had no hands on board to slack his cable, that, they then offered to go on board said vessel with hands enough to do it, but that he would not allow them to do so, and used much and very harsh language to them, that they then attempted to force the said Boat over the cable, and in doing so, She grounded upon it, filled & went down, with about fifty tons of Iron belonging to R. G. Maguire and they further declared, that the said cable of the [illegible]

[98] might have been slackened without shadow of danger or damage to her and that, had it been done, the said Flat Boat and Cargo, could have been saved, and that the said accident occurred about 3 O'Clock P. M. on the 8th instant

Now therefore because of the premises, and as all the damage, and injury, which already has, or may hereafter appear to have happened or accrued, in consequence of, and by the sinking of the said Boat, has been occasioned solely and entirely, by the accident aforesaid, and that no foresight could have prevented the same, and that the consequences of the same cannot, nor ought to be attributed to any insufficiency of the said Boat, or default of the crew; wherefore, he the said McLane required me the said Notary to make his protest& this public act thereof that the same may serve and be and remain in full force and virtue, as of right shall appertain

Whereupon the said McLane doth protest, and I, the said Notary at his Special instance, and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as above stated, whereby or by means whereof, the said Boat, and her said Cargo have been totally lost, for all losses, costs, charges, expenses, damage and injury, which he the said McLane or the owners freighters or shippers of the said Boat and of her Said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat, or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said McLane or on any of the crew of said Boat

Thus done and protested in my office, at the said City of New Orleans in the presence of MC Gimsey and C. W. Carmack, witnesses of lawful age and domiciliaited in this City who hereunto sign their names with said appearers and me, Notary, this Tenth day of April one Thousand Eight Hundred and thirty-five

And now at the moment of signing the said McLane declared that he was unable to sign his name in consequence of having one of his fingers broken, wherefore, he makes his mark to these presents

[Signatures] MC Gimsey, CW Carmack, Duncan X McLane, John Thompson,
Wm Christy

5 April 1855
Protest
by
Jamd. Ayer

State of Louisiana
City of New Orleans

Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified

Personally came and appeared James Ayer master of a Flat Boat designated by the number "One" and with him also came and appeared Samuel Moore and Redmond Hughes, hands employed on board said Boat, which said appearers declared, after having been duly sworn by me said Notary upon the holy Evangelists of Almighty God, that they left the Town of Florence in the State of Alabama on the 17th day of February last past, on board said Boat, with a full Cargo of Pig Iron, bound for this Port, that at the time of starting, the said Boat was in good order and condition, well manned and found, that they proceeded down the Tennessee and Mississippi Rivers, without anything occurring worthy of relation until the 12th day of March last past when they arrived at Plumb Point, about 12 O'Clock M. at which time the wind was blowing very hard, which threw them in close to the left Bank, but that notwithstanding the utmost exertions of all hands the said Boat could not be kept in the proper channel, & after labouring some time said Boat struck a Snag under water, which caused her to sink in about five minutes

Now therefore because of the premises, and as all the damage, and injury which already has or may hereafter appear to have happened or accrued in consequence of, and by reason of the Snagging and sinking of the said Boat, and her said Cargo, as aforesaid, has been occasioned solely and entirely by the accident aforesaid, and that the same cannot nor ought not to be attributed to any insufficiency of the said Boat, or default of from the said Master, or that of his own, wherefore he the said Master required me the said Notary to make his protest and the public act thereof, that the same may serve, and be and remain in full force and virtue as of right shall appertain

Whereupon the said Ayer

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dock protest, and I, the said Notary at their special
instance and request do by these presents publicly
and solemnly protest against the unavoidable ac-
cidents that are not with as above stated
nature, or by ground nature, the said Boat and
cargo have been totally lost, for all losses, costs,
charges expenses, damage and injury, which
the said Master, or the owners, freighters, or
shippers of the said Boat, and of the said Cargo,
or any other person or persons interested or con-
cerned in either, already have, or may hereafter pay,
sustain, incur, or be put into, by or on account
of the said premises, or for which the owner, or in-
terest of the said Flat Boat, and of the said Cargo,
is or are respectively liable to pay, or make con-
tribution or average, according to custom, or to their
respective contracts, or obligations, and that no part
of any such losses, and expenses, already incurred or
hereafter to be incurred do fall on him the said Master
or on any of his Crew —

Thus done and protested
in my office at the said City of New Orleans in the
presence of M. Finney & C. F. Cammack, Witnesses
of lawful age and domiciliated in this City, who
hereunto sign their names, together with said appearing
and me said Notary, this Ninth day of April One
Thousand Eight Hundred and thirty five

M Finney

C F Cammack

Samuel Hoyt

Leonard Hughes

R his Morris
mark

State of Louisiana
City of New Orleans

[25] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans and commissioned and qualified_____

Personally came and appeared Samuel Hyer, Master of a Flat Boat designated by the number "One" and with him also came and appeared Edmond Morris and Redmond Hughes, hands employed on board said Boat, which said appeared declared, after having been duly sworn by me said Notary upon the holy Evangelists of Almighty God, that they left the Town of Florence in the state of Alabama on the 17th day of February last past, on board said Boat, with a full cargo of Pig Iron, bound for this Port, that at the time of sinking, the said Boat, was in good order and condition, well manned and sound, that they proceeded down the Tennessee and Mississippi Rivers, without any thing occurring worthy of relation until the 12th day of March last past, when they arrived at Plumb Point, about 12 O'Clock at which time the wind now blowing very hard, which threw them in close to the left Bank, but that not withstanding the utmost exertions of all hands the said Boat could not be kept in the proper channel, & after laboring some time said Boat struck a snag under water, which caused her to sink in about five minutes _____

Now therefore because of the premises, and as all the damage, and injury which already has or may hereafter appear to have happened or occurred in consequence of, and by reason of the snagging and sinking of the said Boat, and the said Cargo, as aforesaid, has been occasioned solely and which, by the accident aforesaid, and that the same cannot nor ought not to be attributed to any insufficiency of the said Boat, or default of him the said Master, or that of his crew, wherefore he the said Master required me the said Notary, to make his protest, and the public act- thereof, that the same may serve, and be and remain in full force and virtue, as of right shall appertain.

Wherefore the said Hyer

[26] doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid soberly or by means whereof, the said boat and cargo have been totally lost, for all losses, costs, charges, expenses, damage and injury, which the said Hyer, Master or the owners freighters or shippers of the said Boat and of her Said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his said officers and crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of M C Gimsey & C. W. Carmack, witnesses of lawful age and domiciliaited in this City who hereunto sign their names together with said appearers and me, Notary, on the Third day of April One Thousand Eight Hundred and thirty-five.

[Signatures] MC Gimsey, CW Carmack, Samuel Hyer, Redmond Hughes, E. "X" Morris, Wm Christy, Not Public

7 Jan'y 1836

Protest by B.M. Roberts master of Steamer "Otto"

State of Louisiana.
City of New Orleans.

Be it Known that this day, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified.

Personally came and appeared Benjamin Morgan Roberts, master, James Lonnd, first mate, Thomas Kemp, second mate, and David Berry, pilot, officers of and belonging to the Steam Boat, Otto, and with them also came and appeared Jean Baptiste Delbance, passenger on board said boat during her last trip, which said appearers, after having been duly sworn by me, said Notary, upon the Holy Evangelists, did depose and say, as follows, to wit: That they sailed from the lake end of the Pontchartrain Railroad, below this City, at Four o'Clock yesterday evening, the sixth instant, on board said Boat, bound for Mobile, with a small general cargo; that the said Boat, at the time of starting was staunch, light and in good order, well manned and provided; that they proceeded on their voyage, without any thing of importance occurring, until the hour of Seven, the same evening, at which time, when they were near the entrance to the Rigolets, they met the Steam Boat James Monroe, the night being then tolerably dark: that the pilots of both boats, in endeavouring to pass each other, unfortunately turned the helms the same way, the consequence of which was, that the boats came in contact, the bows of the James Munroe striking the Otto, crosswise, just behind the boilers, carrying away the wheel house, and staving in a great portion of her side; that every exertion was made to save the Otto, but without avail, as she filled and sank in fifteen minutes after the concussion; that she was backed with one wheel until her stern struck the bank, where she was left at Nine o'Clock, the same night with a portion of her stern above the water; that the officers and hands of the James Monroe rendered all the assistance in their power to save the crew, and as much of the furniture and cargo as could be got out of the Otto.

Now therefore because of the premises, and as all the damage and injury which already has or may

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hereafter appears to have happened or accrued to the said Boat and Cargo, in consequence and by reason of the accident had and met with as aforesaid, occasioned as aforesaid, cannot nor ought not to be attributed to any insufficiency of the said Boat, or default of him, the said Master, or of his crew: wherefore he, the said Master requires me, the said Notary, to make his protest, and this public act thereof, that the same may serve, and be and remain in full force and virtue as of right shall appertain.

Wherefore the said Roberts doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident had and met with as aforesaid whereby or by means whereof, the said boat and cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners, freighters or shippers, of the said Boat and of her said Cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur or be put into, by or on account of the said premises, or for which the insurers or insurers of the said Boat or of her said Cargo, is or are respectively liable to pay or make contribution or average, according to custom or to their respective contracts or obligations; and that no part of any such losses and expenses, already incurred, or which may be hereafter incurred, do fall on him, the said master or on his said officers and crew.

Thus done and protested in my office, at the said City of New Orleans, in the presence of Wm Latham and W. C. Reynolds, Witnesses, who hereunto sign their names with the said appearers and me, said Notary, on the Seventh day of January, in the year One thousand eight hundred and thirty six.

At the moment of signing, the said Thomas Kemp declares that he does not know how to sign his name; he therefore makes his mark to these presents, the same had been read and explained to him.

Thomas X Kemp
Mark

Thos Roberts

Wm Latham

W. C. Reynolds

James Leonard

David Berry
Signature de Deux

Wm Christy
Not. Pub.

7 Jany 1836
Protest
By
B. M. Roberts
Master of
Steamer
"Otto"

State of Louisiana
City of New Orleans

[33] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans and commissioned and qualified_____

Personally came and appeared Benjamin Morgan Roberts, master, James Leonard, first mate, Thomas Kemp, second mate, and David Berry, pilot, officers of and belonging to the Steam Boat, *Otto*, and with them also came and appeared Jean Baptiste Delanco, passenger on board Said boat during her last trip, which said appearers, after having been duly sworn by me, said Notary, upon the Holy Evangelists, did depose and say as follows, to wit: That they sailed from the lake end of the Pontchartrain Railroad, below this City, at Four o'clock yesterday evening, the sixth instant, on board said Boat, bound for Mobile with a small general cargo, that the said Boat, at the time of starting was staunch, light and in good order, well manned and provided: that they proceeded on their voyage, without any thing of importance occurring, until the hour of Seven, the same evening, at which time, when they were near the entrance to the Rigolets, they met the Steam Boat, *James Monroe*, the night being then tolerably dark: [illegible] the pilots of both boats, in endeavoring to pass each other, unfortunately turned the helms the same way, the consequence of which was, that the boats came in contact, the bows of the *James Monroe* striking the *Otto*, cross-wise, just behind the boilers, carrying away the wheelhouse, and staving in a great portion of her side: that every exertion was made to save the *Otto*, but without avail, as She filled and sank in fifteen minutes after the concussion: that She was backed with one wheel until her stern struck the bank, where she was left at nine o'clock, the same night with a portion of the stern above the water: that the officers and hands of the *James Monroe* rendered all the assistance in their power to save the crew, and as much of the furniture and cargo as could be got out of the *Otto*

Now therefore because of the premises, and as all the damage and injury, which already has or may

[34] here after appear to have happened or accrued to the said Boat and Cargo, in consequence and by reason of the accident had and meet with as aforesaid, occasioned as aforesaid, cannot nor ought not to be attributed to any insufficiency of the said Boat, or default of him the said Master, or of the crew. Wherefore he, the said Master requires and the said Notary, to make his protest, and the public act- thereof, that the same may serve, and be and remain in full force and virtue, as of right shall appertain.

Wherefore the said Roberts doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident had and met with as aforesaid soberly or by means whereof, the said boat and cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Boat and of her Said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or coverage, according to custom or to their respective contracts or obligations, and that no part of

any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his said officers and crew.

Thus done and protested in my office at the said City of New Orleans, in the presence of W. G. Latham and W C Reynolds, witnesses, who hereunto sign their names with the said appearers and me, said Notary, on this Seventh day of January in the year One thousand and eight hundred and thirty six.

At the moment of signing, the said Thomas Kemp declared that he did not know how to sign his name he therefore makes his mark to these presents and the same have been read and explained to him.

[Signatures] Thomas "X" Kemp, Morgan Roberts, W. G. Latham, W C Reynolds, James Leonard, David Berry, Jean Batheste Debanco Wm Christy, Nt. Public

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In faith whereof he hereunto signs his name together with W. G. Latham and W. C. Reynolds, witnesses of lawful age and domiciliated in this City, and me, said Notary.

John Bartlett

W. G. Latham

W. C. Reynolds

Wm Christy

Not Pub

18. April 1836

Protest

by

George Boggs Jr.

master

of

Steamer Heroine

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that on this Eighteenth day of April, in the year of our Lord, One Thousand eight hundred and thirty six

Before me, William Christy, a Notary Public in and for the said City and parish of New Orleans duly commissioned and qualified

Personally came and appeared George Boggs Master of the Steam Boat called the "Heroine" and with him also came and appeared James Montgomery pilot, John Moor, mate, and Joe Edmonds, assistant pilot, all of said Steam Boat

Which said appearers, after having been by me, said Notary, duly sworn upon the Holy Evangelists, voluntarily declared as follows to wit the said George Boggs Jr. that on their voyage from Louisville, Kentucky, on board the said Steam Boat Heroine, nothing particular occurred, until the day, the 10th day of April instant when they arrived at Triplett's Mill, Yellow Banks, Kentucky, and took in tow a flat boat with a cargo of hay belonging to Shaler Richardson, which boat go-

-pared to be towed, and in good condition, and
well secured to the said Steam Boat in the usual
manner; that they proceeded safely down the Ohio
river with the said flat boat in tow until they were
about two miles below a place called Little Chain, when
at six o'clock in the Morning, on Tuesday the 12th
day of April instant, they perceived that the said
flat boat was sinking; and that in about twenty
minutes after the discovery, she finally sunk so low as to have
only the roof above the surface of the water; it having been found
totally impossible to save her or any part of her cargo
or to ascertain the cause of her sinking.

Now therefore, because of the premises, and as
all the damage and injury which already have, or may
hereafter appear to have happened or accrued to the
said Flat Boat and her said Cargo, have been occa-
-sioned solely by the circumstances hereinbefore stat-
-ed, and cannot nor ought not to be attributed to
any insufficiency of the said Boat, or default of him
the said Master or of any of his Crew; he, the said
Master now requires me, the said Notary, to make
his protest and this public act thereof, that the same
may serve and remain in full force and virtue as
of right shall appertain; and the said Montgomery
Worn, and J. Edwards Montgomery, do depose to concur and
agree with the said George Boggs Jr. in every parti-
-cular contained, stated and expressed in the fore-
-going deposition, and solemnly declare the same
to be true in every respect.

And thereupon, the said George Boggs Jr.
doth protest and I, the said Notary, at his special
instance and request, do, by these presents, publicly
and solemnly protest against the accident had and
met with as aforesaid, whereby or by means whereof
the said boat or her said cargo has or have been lost,
for all losses, costs, charges, expenses, damage or injury,
which the said Master, or the owners, freighters or ship
-pers of the said boat or her said Cargo, or any other per-
-son or persons concerned in either, already have paid or
may hereafter pay, sustain, incur or be put unto, by
or on account of the premises, or for which the insurer
or insurers of the said Boat or of her said Cargo, is or
are respectively liable to pay, or make contribution or

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are respectively liable to pay, or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred do fall on him, the said George Boggs Jr. or on his crew. ——

—— Thus done and protested, in my office at the City of New Orleans aforesaid, in the presence of W. G. Latham and W. C. Reynolds, witnesses of lawful age and domiciliated in this City, who hereunto subscribe their names, together with the said appearers and me, the said Notary, on the day, month and year, set forth in the caption hereof. ——

Twenty two words interlined, two erased, and ten written in the place of the two erased. Approved before signing. —

—— And the said John Warn here declared that he did not know how to write or sign his name, he therefore makes his usual mark to these presents after the same had been read and fully explained to him by me, said Notary. ——

George Boggs
Lewis Rhoutpouey
~~Leonard Lacoste~~
his
John × Warn
Mark

W. G. Latham
Wm C. Reynolds

Wm Mauty
Notary Public

State of Louisiana
City of New Orleans

18 April 1836
Protest by
George Boggs Jr
Master of
Steamer *Heroine*

[716] By this Public Instrument of Protest, be it known that on this Eighteenth day of April, in the year of our Lord, One Thousand eight hundred, and thirty -Six

Before me, William Christy, a Notary Public in and for the City and parish of New Orleans duly commissioned and qualified

Personally came and appeared George Boggs, Master of the Steam Boat, called the "*Heroine*" and with him also came and appeared James Montgomery, pilot, John Worn, mate, and Joe Edwards, assistant pilot, on of said Steam Boat

Which said appearers, after having been by me, said Notary, duly sworn upon the Holy Evangelists, voluntarily declared as follows to wit: the said George Boggs Jr, that on their voyage from Louisville, Kentucky on board the said Steam Boat, *Heroine*, nothing particular occurred until said day, the 10th day of April instant when they Landed at Triplett's Mill, Yellow Banks, Kentucky and took in tow a flat boat with a cargo of hay, belonging to Philip Richardson, which boat after

[717] appeared to be staunch and in good condition and was secured to the said Steam Boat in the usual manner- that they proceeded safely down the Ohio River, with the said flat boat in tow until they were about two miles below a place called Settler Chasm, when at Six o'clock in the Morning, on Tuesday the 12th day of April instant, they perceived that the said flat Boat was sinking, when they immediately towed her to the shore and secured her a rope to a tree on the bank, and that in about twenty minutes after the discovery, she finally sunk so low as to have only the roof above the surface of the river- it having been found totally impossible to save her or any part of the cargo or to ascertain the cause of her sinking-

Now therefore because of the premises, and as all the damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the circumstances, herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Boat, or default of him, the said Master or of any of his Crew, he, the said Master now requires me, the said Notary to make his protest and this public act thereof, that the same may serve and remain in full force and virtue as of right- shall appertain and the said Montgomery Worn, and Edwards do depose to concur and agree with the said George Boggs Jr. in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon, the said George Boggs Jr. doth protest and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly, protest against the accident- had and meet with as aforesaid. Whereby or by means whereof the said boat or her said cargo has or have been lost, for all losses, costs, charges, expenses, damage or injury which the said Master, or the owner, freighters or shippers after said boat or her said Cargo, or any other person or persons concerned in either already have paid or may hereafter pay, sustain, incur or be put unto, by or on account of the premises, or for which the insurer or insurers of the said Boat or of her said Cargo is or are respectively liable to pay, or make contribution or

[718] are respectively liable to pay or make contribution or average, according to custom, or to their respective contracts or obligations and that no part of such losses and expenses already incurred or hereafter to be incurred do fall on him the said George Boggs Jr. or his crew.

Thus done and protested, in my office at the City of New Orleans aforesaid, in the presence of W G Lathum and W C Reynolds, witnesses of lawful age and domiciliaited in this City, who hereunto subscribe their names, together with the said appearers and me, the said Notary, on the day, month and year, set forth in the caption hereof.

Twenty -two words interlined, two erased, and ten written in the place of the two erased. Approved before signing.

And the said John Warn here declared that he did not know how to write or sign his name, he therefore marks his usual mark to these presents after the same had been read and fully explained to him by me, said Notary.

[Signatures] George Boggs Jr., James Montgomery, Joe Edwards, John “X” Warn, C G Lathum, Wm C Reynolds, Wm Christy, Not Public

26th May 1856

Protest of Flat Boat Daniel Webster by Wm Reeves master

State of Louisiana
City of New Orleans

By this Instrument of Protest, be it known that on this Twenty Sixth day of May, in the year of our Lord, One Thousand eight hundred and thirty six and of the Independence of the United States of America the Sixtieth

Before me William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana, aforesaid, duly commissioned and qualified,

Personally came and appeared William Reeves, master of a certain Flat Boat, called the Daniel Webster, and with him also came and appeared Sna Worthey and John Mick, hands employed on board said Boat, which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists, voluntarily deposed, as follows, to wit:-

The said Reeves, that they sailed on board said Boat, from Rome, Smith County, Tennessee, on the Second day of May instant, with a cargo of Sixty Three Hogsheads of Tobacco, bound for this City:- that when they sailed as aforesaid, the said Boat was Staunch, tight, well-manned and in good order and condition:- that they proceeded on their way until they arrived at a place on the Mississippi River, about Seventeen miles from this port, on the Twenty fifth instant, between ten and eleven o'clock at night, when a violent storm arose, which blew the water over the said boat, and drove her against the shore, where she sunk in fifteen minutes, and is now lying under a broken down bank.

Now therefore, because of the premises, and as all the damage and injury which already have or may hereafter appear to have happened or accrued to the said Flat Boat, and to her said Cargo, have been occasioned solely by the circumstances hereinbefore stated, and cannot not ought not to be attributed to any insufficiency of the said Boat, or default of him, the said Master or of the said

he, the said Master, now requires me, the said Notary, to make his protest, and this public act thereof, that the same may serve and remain in full force and virtue as of right shall appertain: - and the said Ira Worthing and John Mick do depose to concur and agree with the said Master, in every particular contained and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect. ——

——— And thereupon the said William Reeves doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the violent storm had and met with as aforesaid, whereby or by means whereof, the said Boat and her said Cargo is or have been damaged or lost, for all losses, costs, charges, expenses, damage or injury, which the said Master, or the owners, freighters or shippers of the said Boat or of her said Cargo, or any other person or persons concerned in either, already have paid, or may hereafter pay, sustain, incur or be put unto, by, through or on account of the premises or for which the insurers or insurers of the said Boat, or of her said Cargo, is or are respectively liable to pay, or make contribution or average according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him, the said William Reeves, or on his crew.

——— Thus done and protested in my Office, at the said City of New Orleans in the presence of W. G. Lathum and W. C. Reynolds, witnesses of lawful age and domiciliated in this City who hereunto sign these presents with said appearers and me, Notary, on the day above written.

William Reeves

John Mick

Ira Worthey

W. G. Lathum

W. C. Reynolds

N. Simon

P. T. Rey

26th May 1836
Protest of
Flat Boat
Daniel Webster
By Wm Reeves
Master

State of Louisiana
City of New Orleans

[187] By the Instrument of Protest, be it known that on this Twenty Sixth day of May, in the year of our Lord, One Thousand eight hundred and thirty six and of the Independence of the United States of America, the Sixtieth

Before me, William Christy, a Notary Public in and of the City and Parish of New Orleans, State of Louisianan, aforesaid, duly commissioned and qualified.

Personally came and appeared William Reeves, master of a certain Flat Boat, called the *Daniel Webster* and with him also came and appeared Ira Worthey and John Mich hands employed on board said Boat, which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists, voluntarily deposed, as follows to wit:

The said Reeves, that they sailed on board said Boat, from Rome, Smith County, Tennessee on the Second day of May instant, with a cargo of Sixty Three Hogsheads of Tobacco, bound for this City: that when they sailed as aforesaid, the said Boat was staunch, light, well-manned and in good order and condition: that they proceeded on their way until they arrived at a place on the Mississippi River, about seventeen miles from this port, on the Twenty fifth instant between ten and eleven o'clock at night, when a violent storm arose, which blew the water over the said boat, and drive her against the shore where she sunk in fifteen minutes and is now lying under a broken down bank.

Now therefore, because of the premises and as all the damage and injury which already have or may hereafter appear to have happened or accrued to the said Flat Boat and to her said Cargo, have been occasioned solely by the circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat, or default of him the said Master or of his crew.

[188] he the said Master, now requires me, the said Notary, to make his protest, and this public act thereof, that the same may serve and remain in full force and virtue as of right shall appertain: and the said Ira Worthey and John Mich do depose to concur and agree with the said Master, in every particular contained and expressed in the foregoing deposition and solemnly declare the same to be true in every respect.

And thereupon the said William Reeves doth protest, and I, the said Notary, at his special instance and request do by these presents, publicly and solemnly protest against the violent Storm, had and met with as afore said, whereby or by means whereof, the said Boat and her said Cargo is or have been damaged or lost, for all losses, costs, charges, expenses, damage or injury which the said Master, or the owners, freighters or shippers of the said Boat or of her said Cargo, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur or has part unto, by or on account of the premises or for which the insurer or insurers of the said Boat, or of her said Cargo, is or are respectively liable to pay or make contribution or average according to custom, or to their respective contracts or obligations and that no part of such losses and expenses already incurred, or hereafter to be incurred do fall on him the said William Reeves, or on his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and W. C. Reynolds, witnesses of lawful age and domiciliaited in this City who hereunto sign their names with said appearers and me, Notary, on the day above written-

[Signatures] William Reeves, John Mick, Ira Worthey, M. G. Lathum, Wm. C. Reynolds, Wm. Christy, Not. Public

112

7th Jany 1837

Protest
of
Flat Boats 3 & 4.
by
Anton Schaffer &c.

State of Louisiana.—
City of New Orleans.—

By this public Instrument of Protest, be it Known that on this Seventh day of January in the year of our Lord, One Thousand, eight hundred and thirty seven, and of the Independence of the United States of America, the Sixty first — Before me, William Christy, Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified — Personally came and appeared, Anton Schaffer, Lyarmann Sobolander, and Henry Deal, hands employed on board two certain Flat boats, designated by the numbers 3 and 4: — which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists voluntarily deposed, as follows, to wit: — That the said two boats were laden at Pittsburg with Eight thousand one hundred and ninety two Barrels of Stone Coal, by Messrs Sedlie, Evans & Cummings, and consigned to the New Orleans Gaslight and Banking Company, in this City: that they started on board said boats, on the twenty second day of November last past (1836) from the said City of Pittsburg, bound for this port: that when they started, as aforesaid, the said boats were staunch, tight, well manned and in good order and condition: — that the said Boats descended the Ohio River without meeting any accident, until the morning of the Eighth of December, at four o'Clock, when they were about seventy miles above the Mississippi River, and at the foot of a small Bar below Steward's Island, when the said boats run aground on the said bar, which was from

three to four feet under water, and although every exertion was used by the hands, they found it impossible to get the said boats afloat again, as the river was falling very fast :- that the current washed the sand from under the said boats so fast, that on the Thirteenth day of December, they broke in pieces, when the river began to rise and covered them with water, so that neither boats nor cargo could be saved _____

_____ And now personally came and appeared Isaac Ewan, one of the members of the said firm of Sadler, Ewan & Cummings, who, after having been duly sworn, did depose and say, that the said two Flat Boats Nos 3 & 4, were the same that he insured with their cargoes, from Pittsburg to New Orleans, in the office of the Atlantic Marine and Fire Insurance Company, directed the said New Orleans Gas Light & Banking Company to _____

_____ Now therefore, because of the premises, and as all the damage and injury, which already have or may hereafter appear to have happened or accrued to the said flat Boats and their said Cargo, have been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boats, or default of any of the hands on board thereof, they, the said appearers, now require me, the said Notary, to make their protest, and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain —

_____ And thereupon the said appearers do protest and I, the said Notary, at their special instance and request do, by these presents publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, which, or by means whereof, the said Boats and their

cargoes have been lost, for all losses costs, charges expenses damage or injury, which the Masters or the owners, freighters, or shippers of the said Boats or of their said Cargoes, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur, or be put into, by through, or on account of the premises, or for which the insurer or insurers of the said Boats, or of their said Cargoes, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred, or hereafter to be incurred do fall on them the said appearers or on any of the Crews. —

——— Thus done and protested in my office at the said City of New Orleans, in the presence of W. G. Latham and F. B. Vinot, witnesses of lawful age and domiciliated in this City, who hereunto sign their names, with the said appearers, and me, the said Notary, on the day and date first above written. —

W. G. Latham

F. B. Vinotte

Jos. Ewan
Anton Schäffer
~~Lorenzo~~ Fabelanes
Henry his X mark
mark

Wm. Christy

W. Park

7th Jany 1837
Protest of
Flat Boats 3 & 4
By Anton Schaffer

State of Louisiana
City of New Orleans

42

By this public Instrument of Protest, be it known that on this Seventh day of January in the year of our Lord, One Thousand eight hundred and thirty seven and of the Independence of the United States of America, the Sixty -first

Before me, William Christy, Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified

Personally came and appeared Anton Schaffer, Lyarmam Tobolander, and Henry Deal, hands employed on board two certain Flat boats, designated by the numbers 3 and 4: which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists voluntarily deposed, as follows, to wit:

That the said two boats were laden at Pittsburgh with Eight thousand and one hundred and ninety two Barrels of Stone Coal, by Messes. Sedlie, Ewan & Cummings, and consigned to the New Orleans Gaslight and Banking Company, in this City: that they started on board said boats, on the twenty second day of November last past (1836) from the said City of Pittsburgh, bound for this port: that when they started, as aforesaid, the said boats were staunch, tight, well manned and in good order and condition: that the said Boats descended the Ohio River without meeting any accident until the morning of the Eighth of December, at four o'Clock, when they were about seventy miles above the Mississippi River, and at the foot of a sand Bar below Steward's Island, when the said boats run aground on the said bar, which was from

[43] three to four feet under water, and although every exertion was used by the hands, they found it impossible to get the said boats afloat again, as the river was pulling very fast: that the current washed the sand from under the said boats so fast, that on the Thirteenth day of December, they broke in pieces, when the river began to rise and covered them with water, so that neither boat nor cargo could be saved

And now personally came and appeared Isaac Ewan, one of the members of the said firm of Sedlie, Ewan & Cummings, who, after having been duly sworn, did depose and say, that the said two Flat Boats Nos. 3 & 4 were the same that he directed the said New Orleans Gas Light & Banking Company to insure with their cargoes, from Pittsburgh to New Orleans in the office of the Atlantic Marine and Fire Insurance Company.

Now therefore, because of the premises, and as all the damage and injury, which already have or may hereafter appear to have happened or accrued to the said flat Boats and their said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Boats or default of any of the hands on board thereof, the, the said appearers, now require me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain

And thereupon the said appearers do protest and I, the said Notary, at their special instance and request do by these presents Wherefore the said Roberts doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid occasioned as aforesaid where by or by means whereof, the said Boats and their said

[44] cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Boats and of their said Cargoes, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said Boats or of their said Cargoes, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on them said appearers or any of the crews.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinot, witnesses of lawful age and domiciliaited in this City who hereunto sign their names with said appearers and me, Notary, on the day and date first above written-

[Signatures] M G Latham, F. B. Vinot, Isaac Ewan, Anton Schaffer, Lyarmam Tobolander, Henry X Deal, Wm Christy, Not. Public

6th April 1837

Protest by Wm. H. Gray master of Keel-Boat "Rosalba"

State of Louisiana
City of New Orleans

Be it Known that this day before me, William Christy, a Notary Public in and for the City and Parish of New Orleans State of Louisiana, duly commissioned and qualified, Personally came and appeared William H. Gray, Master of the Keel Boat, called the "Rosalba", who, after having been duly and solemnly sworn upon the Holy Evangelists of Almighty God, voluntarily deposed, as follows, to wit:—

That on the Eighteenth day of February of the present year, he started with his said Keelboat Rosalba from the Spanish Bluffs on Red River, having no cargo on board:— that when he started as aforesaid, the said Boat was staunch, tight, well manned and in good order and condition: that they proceeded on their way down and took in One hundred and eight Bales of Cotton, at Chicaning Prairie, and thence proceeded to Criss Landing, where they took in Fifty four bales of Cotton, and proceeded thence to the mouth of Red Bayou, and there completed the Cargo, by taking in Fifty two Bales of Cotton, making a total of Two hundred and fourteen Bales:— that they proceeded on their way and crossed Clear Lake on the Evening of the Fifteenth March, and then entered Cods Lake, the night being very clear and calm and proceeded about Ten Miles, when the wind began to blow, and continued to freshen with such increased violence that by about Eleven o'clock the same night, the said Boat could

make no headway through stress of weather, although all hands were working hard with the sweeps, in consequence thereof, they were obliged to put back, and endeavour to make for some harbour, which could not be effected, but running before the wind, the said boat made a small island of Willows, about One mile from the land, at about Three o'clk on the morning of the Sixteenth instant:— that every exertion was made to get round to the Leeward of said Island, but without success, the weather getting more boisterous every moment, and the wind blowing full on the Starboard Side of said Boat, which held her so close to the Island, that it became impossible to move her in any way, the tremendous wind and waves having full sweep on the broadside of said boat the whole time, the waves dashing at least three feet over the Splash boards and running boards of said boat, and although every endeavour was made by baling, the water still gained so fast, that by half past four o'clock on the morning of the Sixteenth, in spite of the vigourous endeavours of the crew in baling said boat, there was three feet water in the hold, when said boat foundered and swamped, and then sunk to the depth of Five feet, the water in that part of the lake being about nine feet deep:— that the wind continued to blow with increased violence the whole of that day and the succeeding night, every wave dashing clear over the said boat:— and that seeing there was no hope of saving said boat, which was by this time a complete wreck, they betook themselves to the Skiff, found Boat, and by keeping amongst the willows, which formed part of islands and depths, they

succeeded, after much difficulty, in reaching the shore in safety — that they then went in search of another Keel boat, which was in company with the said boat Rosalba, and was also under charge of him said appearer, which boat had been detained some little distance behind them, owing to the breaking of an oar, and which, not having got so far into the lake, was brought to shore in safety about two miles from the wreck of the Rosalba. that he the said appearer, after finding the said boat, took charge of her and proceeded to Shreveport, where she was unloaded of her cargo which he shipped to this port in the Steam Boat Privateer :— that he said appearer, with the remainder of his Crew, (two having deserted him at Shreveport) returned with the empty Keel Boat to the wreck of the Rosalba, and succeeded in saving Fifty three bales of Cotton, marked as follows, Twenty three bales W. F. Morris :— Twenty one Bales V :— One Bale, Johnson Harrington :— One Bale M. Wright :— Five Bales F & W :— Two Bales, R. H. Firm :— which bales they brought to Shreveport and left there :— that he said appearer entered his protest before Charles S. Hardy a Notary Public for the parish of Natchitoches, on the Twenty-sixth day of March, Eighteen hundred and thirty seven :— that the remainder of his crew left him said appearer at Shreveport and Natchitoches; and finally that after having been detained by indisposition, he arrived here last night on board the Steam Boat John Linton. _____

_____ Now therefore, because of the premises, and as all the loss, damage or injury which already have or may hereafter appear to have happened or accrued to the said Boat and to her said Cargo have been occasioned solely by the Circumstances hereinbefore stated

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and cannot nor ought not to be attributed to any insufficiency of the said boat or default of him the said master, or of any of his crew, he, the said master now requires me, the said Notary, to make his protest and this public act thereof that the same may serve and be of full force and virtue as of right shall appertain.

And thereupon the said William H Gray doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the boisterous weather aforesaid, whereby or by means whereof, the said boat and her said Cargo, have been lost, damaged and injured for all loss, costs, charges, expenses, damage or injury, which he, the said master, or the owners, freighters or shippers of the said boat or of her said Cargo, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur or be put unto by or on account of the premises, or for which the owners or owners of the said boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such loss and expenses, already incurred or hereafter to be incurred, fall on him, the said Master or on his bottom.—

Thus done and protested in my Office at the City of New Orleans aforesaid, on this sixth day of April Eighteen hundred and thirty seven, in the presence of W G Latham and H Rawlins, who hereunto sign their names with said appearer and me, Notary.

W. H. Gray

W Latham

Henry Rawlins

Jno Ofmit

Chas Gayarre

6th April 1837 **State of Louisiana**
Protest by **City of New Orleans**
Wm H. Gray
Master of
Keel Boat
"*Rosalba*"

[351] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans State of Louisiana, duly commissioned and qualified_

Personally came and appeared William H. Gray Master of the Keel Boat, called the "*Rosalba"*, who, after having been duly and solemnly sworn upon the Holy Evangelists, voluntarily deposed as follows, to wit:

That on the Eighteenth day of February of the present year, he started with his said Keelboat *Rosalba* from the Spanish Bluffs on Red River, having no cargo on board: that when he started as aforesaid, the said Boat was staunch, tight, well manned and in good order and condition: that they proceeded on their way down and took in One hundred and eight Bales of Cotton at Chickanini Prairie, and thence proceeded to Crier's Landing, where they took in Fifty four bales of Cotton, and proceeded thence to the mouth of Red Bayou, and there completed the Cargo, by taking in Fifty two Bales of Cotton, making a total of Two hundred and fourteen Bales: that they proceeded on their way and crossed Clear Lake on the Evening of the Fifteenth March and then entered Sodo Lake [old name for Caddo Lake] the night being very clear and calm and proceeded about Ten Miles when the wind began to blow and continued to freshen with such increased violence that by about Eleven o'clock the same night, the said Boat could

[352] make no headway through stress of weather, although all hands were working hard with the sweeps in consequence thereof, they were obliged to put back, and endeavor to make for some harbour, which could not be effected, but swinging before the wind, the said boat made a small island of willows, about One mile from the land, at about Three o'clock on the morning of the Sixteenth instant: that every exertion was made to get round to the Leeward of said Island but without success, the weather getting more boisterous every moment and the wind blowing full on the Starboard Side of said Boat, which held her so close to the Island, that it became impossible to move her in any way, the tremendous wind and waves having full sweep on the broadside of said boat- the whole time the waves dashing at least three feet over the splash boards and running boards of said boat and although every endeavor was made by baling, the water still gained so fast that by half past four o'clock on the morning of the Sixteenth, in spite of the vigorous endeavors of the crew on baling said boat, there was three feet water in the hold, when said boat foundered and swamped, and then sunk to the depth of Five feet, the water in that part of the lake being about nine feet deep: that the wind continued to blow with increased violence the whole of that day and the succeeding night, every wave dashing clear over the said boat: and that, seeing there was no hope of saving said boat, which was by this time a complete wreck, they betook themselves to the skiff of said Boat, and by keeping amongst the willows, [illegible] points of islands, and so forth

[353] they succeeded after much difficulty, in reaching the shore in safety: that they then went in search of another Keelboat, which was in company with the said boat *Rosalba*, and was also under charge of him, said appearer, which boat had been detained some little distance behind them, owing to the breaking of an oar and which not having got so far into the lake, was brought to shore in safety about two miles from the wreck of the *Rosalba*, that he the said appearer after finding the said boat, took charge of her and proceeded to Shreveport, where she was unloaded of her cargo which he shipped to this port on the Steam Boat *Privateer*: that he, said appearer, with the remainder of his crew, two having deserted him at Shreveport, returned with the empty Keel Boat to the wreck of the *Rosalba* and succeeded in saving Fifty three bales of Cotton

marked as follows, Twenty three bales, W. F. Morris: Twenty one Bales, V: One Bale, Johnson & Carrington: One Bale M. Wright: Five Bales F & W: Two Bales, R. H. Finn: which bales they brought to Shreveport and left there: that he, said appearer entered his protest before Charles I. Hardy a Notary Public for the parish of Natchitoches, on the Twentieth day of March Eighteen hundred and thirty seven: that the remainder of his crew left him said appearer at Shreveport and Natchitoches: and finally that after having been detained by indisposition, he arrived here last night on board the Steam Boat *John Sinton*.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated

[354] and cannot nor ought not to be attributed to any insufficiency of the said boat or default of him the said Master, or of any of his crew, he, the said master, now require me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And thereupon the said William H Gray doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the boisterous weather aforesaid and where by, or by means whereof, the said boat and her said cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his crew.

Thus done and protested in my office, at the said City of New Orleans aforesaid on this Sixth day of April Eighteen hundred and thirty seven in the presence of W G Latham and H Raushide, who hereunto sign their names with said appearers and me, Notary

[Signatures] WG Lathum, Henry Raushide, W. H. Gray, Wm Christy, Not. Public

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said Notary, on this Third day of april in the Year of our Lord One Thousand eight hundred and thirty seven.

W. Lathrop — Thos. O Nuny

F. B. Winston

Wm Christy

Not Pub

3

3rd April 1837.

Protest by Joseph Griggs master of flatboat Hoosier.

State of Louisiana

City of New Orleans

By this Public Instrument of Protest be it Known that this day, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified. Personally came and appeared Joseph Griggs, master of a certain Flat Boat called the "Hoosier", who, after having been solemnly sworn upon the Holy Evangelists, voluntarily deposed as follows; to wit:- That on the 14th March 1837, that he left Terrehaute, on the Wabash river, in the State of Indiana, with the said Flat-Boat and another lashed together:- that when he started as aforesaid, the said boats were staunch, tight, well manned, and in good order and condition, and the said Flat-Boat Hoosier was laden with Eleven hundred and fifty sacks of corn consigned to A. L. Chase, of this City:- that nothing particular occurred during the voyage, until yesterday, the Second day of April instant, when the

said Boats came to shore about a mile and a half above this City, and were secured in the best possible manner, with two Strong Cables to shore, — that he, said appearer, then left the said boats in charge of the hands employed thereon, and came to this City to inform the consignee above mentioned of his safe arrival, and that during his absence, which was not of more than two hours duration, the accident hereinafter mentioned, took place. ——

—— And now personally came and appeared Enoch B. Camden, Pleasant Defore and Willis Wood, hands employed on board said Flat-Boat Hoosier, who intervening in these presents, having been duly sworn, after reading what is above written, declare that the same is correct and true, and that about one hour after the said Griggs left the said Flat-Boat Hoosier, which was lying outside, two flatboats laden with cotton, came floating down the river and, owing to the wind and strength of the current, run into the said Flat Boat Hoosier, tore her away from the other boat she was lashed to, and carried her about One hundred yards down the river, when she filled with water and sunk immediately. ——

—— Now therefore because of the premises and as all the loss, damage or injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat or to her said Cargo, have been occasioned solely by the circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said boat, or default of him, the said Master, or of any of his crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. ——

—— and thereupon the said Joseph Griggs doth protest and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the accident had and met with as

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aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Boat and her said Cargo have been lost, damaged, or injured for all losses, costs, charges, expenses, damage or injury which the said Master, or the owners, freighters or shippers of the said Boat or of her said Cargo or any other person or persons concerned in either, already have paid, or may hereafter pay, sustain, incur or be put into, by, through, or on account of the premises, or for which the insurer or insurers of the said boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of the losses and expenses already incurred or hereafter to be incurred, do fall on him the said Joseph Greggs or on any of his crew. _____

_____ Thus done and protested, in my Office at the City of New Orleans, aforesaid, in the presence of William G. Lathum and François B. Viniot, witnesses of lawful age and domiciliated in this City, who hereunto subscribe their names, together with the said appearers and me, the said Notary, on this Third day of April in the year of our Lord One Thousand eight hundred and thirty seven

W. G. Lathum

F. B. Viniot

Joseph Greggs

Willis Wood

Enoch B. Comber

Pleasant Depore

N. Canon

3rd April 1837
Protest by
Joseph Griggs
Master of flatboat
Hoosier

State of Louisiana
City of New Orleans

[336] By this Public Instrument of Protest be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans and commissioned and qualified_

Personally came and appeared Joseph Griggs, master of a certain Flat Boat called the "*Hoosier*", who, after having been solemnly sworn upon the Holy Evangelists, voluntarily deposed as follows, to wit: That on the 4th March 1837, that he left Terrehaute, on the Wabash river, in the State of Indiana, with the said Flat Boat and another lashed together: that when he started as aforesaid, the said boats were staunch, tight, sound, well manned and in good order and condition, and the said Flat Boat *Hoosier* was laden with Eleven hundred and fifty sacks of corn consigned to A. S. Chase of this City: that nothing particular occurred during the voyage until yesterday, the Second day of April instant, when the

[337] said Boats came to shore about a mile and a half above this City, and were secured in the best possible manner, with two strong cables to shore: that he, said appearer, then left the said boats in charge of the hands employed thereon, and came to this City to inform the consigner above mentioned of his safe arrival, and that during his absence, which was not of more than two hours duration, the accident hereinafter mentioned, took place.

And now personally came and appeared Enoch B. Camden, Pleasant Defore and Willis Wood, hands employed on board said Flat Boat *Hoosier*, who intervening in these presents, having been duly sworn, after reading what is above written, declare that the same is correct and true, and that about one hour after the said Griggs left the said Flat Boat *Hoosier*, which was lying outside, two flat boats laden with cotton, came floating down the river and, owing to the wind and strength of the current, run into the said Flat Boat *Hoosier*, tore her away from the other boat she was lashed to, and carried her about one hundred yards down the river, when she filled with water and sunk immediately.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boats and her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, the said Master, or of any of his crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And thereupon the said Joseph Griggs doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident had and met with as

[338] aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Boat and her said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master, or the owners freighters or shippers of the said Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations,

and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Joseph Griggs or on any of his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of William G Lathum and Francois B. Vinot, witnesses of lawful age and domiciliaited in this City who hereunto subscribe their names together with said appearers and me, Notary, on this Third day of April in the year of our Lord One Thousand eight hundred and thirty seven.

[Signatures] W G Lathum, F. B. Vinot, Joseph Griggs, Willis Wood, Enoch B. Camden, Pleasant Defore, Wm Christy, Not. Public

25th March 1837

Protest

by

David H. Mitchell
Steersman of Flat-boat
Temperance.

State of Louisiana

City of New Orleans.

Be it Known that this day, before me William Christy a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and Sworn, Personally came and appeared David H. Mitchell, Steersman of a certain Flat Boat called the Temperance which said Boat started from Columbia, Duck River, in the State of Tennessee, on the Twenty fourth day of February, Eighteen hundred and thirty seven, with a cargo of Three hundred and sixty Bales of Cotton or thereabouts consigned to Carruthers Harris & C. Yerger Chaffin & C. and Price Johnson & C of this City

And the said David H. Mitchell after having been duly and Solemnly sworn upon the Holy Evangelists voluntarily deposed, as follows to wit:-

That on the Second day of March instant, he took charge of the said Flatboat at Reynoldsburg on the Tennessee river, to bring her to this Port:- that when he took charge of the said boat, she was staunch, tight, well manned, and in good order and condition:- that they proceeded on the voyage in safety, until the Twelfth day of March or thereabout, when in the neighbourhood of Cat Island or No. 50, about Twenty five miles below Memphis, the wind blowing very hard, they attempted to land on the said Island, which they succeeded in doing:- that the next morning the said boat was discovered to be in a sinking condition owing to a plank in the bottom of the boat having been so injured as to admit the water:- that they

then commenced rolling out the Cotton on the upper part of the boat on to the Island, until they came to the two lower tiers which were then under water, at which time the river was rising very fast; - that in order to procure assistance to get the Cotton which was saved, off the island the said David H. Mitchell, with all the hands except one whom they left behind to guard the wreck, went to Memphis, where he duly entered his protest against the accident they had met with, which said protest was placed by the Notary before whom the same was made, in the Post Office at Memphis, addressed to John Gordon, Columbia, Tennessee: - that after great exertions, he, the said Mitchell, engaged the Steam Boat Pero, then lying at the landing place of Memphis, for and in consideration of One Thousand Dollars to be paid in this City, to undertake the removal of the Cotton lying on the said Cat Island, and to bring the same to this port: - that on the night of the Twentieth March, or thereabouts, the said Steamboat did proceed to the said Island, and, taking part on Board and part on a Flat Boat purchased for the purpose, received Twohundred and thirty nine Bales of Cotton, all of which the said Steam Boat duly brought to this port, and landed in good order with the exception of about Ten Bales partially damaged with water; - the balance of the said Flat Boat's Cargo, say about One hundred and twenty bales, together with the said Boat having disappeared during their absence at Memphis, having been, as is supposed, swept away by the rising of the river, the man left in charge thereof, having disappeared also.

Now therefore, because of the premises and as all the loss, damage or injury which

already have or may hereafter appear to have happened or accrued to the said Flat Boat or to her said Cargo, is or have been occasioned solely by the circumstances hereinbefore mentioned stated and expressed, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat, or default of him, the said deponent or of any of his crew; he, the said deponent now requires me, the said Notary, to extend his said protest, and make this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. _____

_____ And thereupon, the said David H. Mitchell doth protest, and I, the said Notary at his Special instance and request, do, by these presents, publicly and solemnly protest against the accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Boat and her said Cargo, is or have been lost, damaged or injured, for all losses, cost, charges, expenses, damage or injury which the said David H. Mitchell, or the master, owners, freighters or shippers of the said boat or of her said Cargo, or any part thereof, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur, or be put into, by, through or on account of the premises, or for which the insurer or insurers of the said Flat Boat, or of her said Cargo, is or are respectively liable to pay or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall on him, the said Mitchell, or on the master of

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the said Flat Boat or on any of the crew.

Thus done and protested in my Office at the City of New Orleans aforesaid, in the presence of W. G. Latham and F. B. Vinot, Witnesses of lawful age and domiciliated in this City, who hereunto subscribe their names together with the said appearer and me, the said Notary, on this Twenty fifth day of March, in the Year of our Lord, One Thousand eight hundred and thirty seven.

D. H. Mitchell

W. G. Latham

F. B. Vinotte

Wm Conway

for Pilots

25th March 1837 **State of Louisiana**
Protest by **City of New Orleans**
David H. Mitchell
Sternsman of Flat boat
Temperance

[259] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans and commissioned and qualified_____

Personally came and appeared David H. Mitchell, Sternsman of a certain Flat Boat called the *Temperance*, which said Boat started from Columbia, Duck River, in the State of Tennessee, on the Twenty fourth day of February, Eighteen hundred and thirty-seven with a cargo of Three hundred and sixty Bales of Cotton or thereabouts consigned to Caruthers Harris & Co., Yerger Chaffin & Co. and Price Johnson & Co. of this City

And the said David H. Mitchell after having been duly and solemnly sworn upon the Holy Evangelists voluntarily deposed, as follows to wit:

That on the Second day of March instant, he took charge of the said Flatboat at Reynoldsburg on the Tennessee river, to bring her to this Port: that when he took charge of the said boat, she was staunch, tight, well manned, and in good order and condition: that they proceeded on the voyage in safety, until the Twelfth day of March, or thereabouts, when in the neighborhood of Cat Island or No. 50, about Twenty five miles below Memphis, the wind blowing very hard, they attempted to land on the said Island, which they succeeded in doing: that the next morning the said boat was discovered to be in a sinking condition owing to a plank in the bottom of the boat having been so injured as to assist the water: that they

[260] then commenced rolling out the Cotton on the upper part of the boat on to the Island, until they came to the two lower tiers which were then under water, at which time the river was rising very fast: that in order to procure assistance to get the Cotton which was saved off the Island the said David H. Mitchell, with all the hands except one whom they left behind to guard the deck, went to Memphis, where he duly entered his protest against the accident they had met with, which said protest was placed by the Notary before whom the same was made, in the Post Office at Memphis, addressed to John Gordon, Columbia, Tennessee: that after great exertions, he, the said Mitchell, engaged the Steam Boat *Peru*, then lying at the landing place of Memphis for and in consideration of One Thousand Dollars to be paid in this City, to undertake the removal of the Cotton lying on the said Cat Island, and to bring the same to this port: that on the night of the Twentieth March or thereabouts, the said Steamboat did proceed to the said Island, and, taking part on Board and part on a Flat Boat purchased for the purpose, received Two hundred and thirty nine Bales of Cotton, all of which the said Steam Boat duly bought to this port, and landed in good order, with the exception of about Ten Bales partially damaged with water: the balance of the said Flat Boat's Cargo, say about One hundred and twenty bales, together with the said Boat having disappeared during their absence at Memphis having been as is supposed, swept away by the rising of the river, the man left in charge, thereof, having disappeared also

Now therefore, because of the premises, and as all the damage and injury, which

[261] already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the circumstances herein before stated and expressed, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, the said deponent or of any of his crew: he, the said deponent now requires me, the said Notary, to extend his said protest and make this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain

And whereupon, the said David H. Mitchell doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident had and met with as aforesaid soberly or by means whereof, the said Boat and her said Cargo is or have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said David H. Mitchell, or the master, owners freighters or shippers of the said boat and of her said Cargo, or any part thereof, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Mitchell, or on the master of

[262] the said Flat Boat or on any of the crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinotee, witnesses of lawful age and domiciliaited in this City who hereunto subscribe their names together with said appearers and me, Notary, on this Twenty fifth day of March, in the Year of Our Lord, One Thousand and eight hundred and thirty seven.

[Signatures] WG Latham, F. B. Vinotee, D. H. Mitchell, Wm Christy, Not Public

27th March 1837

Protest
by
Durham Hood
master of flatboat
Vermillion

State of Louisiana
City of New Orleans

Be it Known that this day, before me William Christy, a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified. Personally came and appeared, Durham Hood captain of a certain Flat Boat, called the Vermillion, owned by William Lee of Eugene in the State of Indiana; and with him also came and appeared James Mc Intyre and George Switzer hands employed on board said boat.

Which said appearers, after having been duly and solemnly sworn, by me, the said Notary upon the Holy Evangelists, voluntarily declare as follows, to wit:-

The said Hood, that they left the said town of Eugene, on board said Flat Boat on the Twenty third day of February last (1837) with a Cargo of 77 Barrels of Flour, 291 Sacks of Rye, 405 Sacks of Wheat, bound for this city that when they started as aforesaid, the said boat was staunch, tight, sound, well manned and in good order and condition; that they started in company with another boat, and proceeded on their way without meeting with any thing worthy of relation, until Thursday the second March, about Three o'clock in the morning, when a Violent North wind arose and blew the said Flat Boat Vermillion on a drift at the head of Shaw Island about two miles below Shawneetown on the Ohio River and although every exertion was made by experienced crew to keep the boat off

wind forced the said Boat on a bar amongst the drift wood, where the waves beat so high that the water flowed over the roof of the boat, and in a short time she sunk underneath the water; that they escaped on board the other boat which they had in company; and on the Fourth day of March, they went to Shawneetown, and entered a protest before Thomas F. Wright, a Justice of the Peace for Gallatin County, in the State of Illinois; and that after giving proper notice, he, said appraiser, sold at public auction the chance of recovering the said boat and cargo for the sum of Ten dollars; and finally that they arrived in this City, on Friday, the Twenty fourth day of March instant.

And whereas the said protest was not sufficiently explicit, he, the said Hood now requires me, the said Notary, to extend his said protest, and make this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said James McIntyre and George Switzer do depose to concur and agree with the said Hood in the foregoing deposition, and solemnly declare the same to be true in every respect.

Now therefore, because of the premises and as all the loss, damage or injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat or to her said Cargo, have been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said boat or default of him, the said Captain or of any of his Crew, he the said Captain, now requires me, the said Notary, to make his protest and this public act thereof; and thereupon the said Denham Hood

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such protest; and I, the said Notary, at the special instance and request, do, by these presents, publicly and solemnly protest against the accident had and met with as aforesaid, occasioned as aforesaid whereby or by means whereof, the said Boat and her said Cargo have been lost, damaged or injured for all losses, costs, charges, expenses, damage or injury, which the said Captain, or the owners, freighters, or shippers of the said Boat or of her said Cargo, or any other person or persons concerned in either, already have paid, or may hereafter pay, sustain, incur or be put unto, by or on account of the premises, or for which the insurer or insurers of the said boat or of her said Cargo is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him, the said Durham Hood, or on any of his Crew.

Thus done and protested in my Office, at the said City of New Orleans, in the presence of W. G. Latham and F. B. Vinet, Witnesses of lawful age and domiciliated in this City, who hereunto sign their names, with the said appearer and me, the said Notary, on this Twenty seventh day of March, in the Year Our Thousand eight hundred and Sixty seven.

Durham Hood

George Sweitzer

W. Latham

his
James X McIntyre
mark

F. B. Vinet

W. Barnes

27th March 1837 State of Louisiana
Protest by City of New Orleans
Durham Hood
Mater of flatboat
Vermillion

[268] Be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans and commissioned and qualified_

Personally came and appeared Durham Hood captain of a certain Flat Boat, called the *Vermillion*, owned by William Lee of Eugene in the State of Indiana: and with him also came and appeared James McIntyre and George Switzer hands employed on board said boat

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily declare as follows, to wit:

The said Hood, that they left the said town of Eugene on board said Flat Boat on the Twenty third day of February last (1837) with a cargo of 77 Barrels of Flour, 291 sacks of Rye, 405 sacks of Wheat, bound for this City: that when they started as aforesaid, the said boat was staunch, tight, sound, well manned and in good order and condition: that they started in company with another boat, and proceeded on their way without meeting with any thing worthy of relation, until Thursday the Second March, about Three o'clock in the morning, when a violent north wind arose and blew the said Flat Boat Vermillion on a drift at the head of Flock Island about two miles below Shawneetown on the Ohio River and through every exertion was made that experience could do about the [illegible]

[269] forced the said Boat in a bar amongst the drift wood, where the waves beat so high that the water flowed over the roof of the boat, and in a short time she sunk underneath the water: that they escaped aboard the other boat which they had in company, and on the Fourth day of March, they went to Shawneetown, and entered a protest before Thomas F. Vaught, a Justice of the Peace for Gallatin County in the State of Illinois: and that after giving proper notice, he, said appearer, sold at public auction the chance of recovering the said boat and cargo for the sum of Ten dollars: and finally that they arrived in this City on Friday, the Twenty fourth day of March instant.

And whereas the said protest was not sufficiently explicit, he, the said Hood now requires me, the said Notary, to extend his said protest and make this public act thereof that the same may serve, and be and remain in full force and virtue, as of right shall appertain.

And the said James McIntyre and George Switzer do depose to concur and agree with the said Hood in the foregoing deposition, and solemnly declare the same to be true in every respect.

Now therefore, because of the premises, and as all the damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat or to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said boat or default of him, the said Captain or of any of his crew, he, the said Captain, now requires me, the said Notary, to make his protest and this public act thereof: and thereafter the said Durham Hood

[270] doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident had and met with as aforesaid soberly or by means whereof, the said boat and her cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Captain, or the owners, freighters or shippers of the said Boat or of her said Cargo, or any other person or persons

interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said boat or of her said Cargo, is or are respectively liable to pay, or make contribution or coverage, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Durham Hood or on any of his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinot, witnesses of lawful age and domiciliaited in this City who hereunto sign their names with said appearers and me, Notary, on the Twenty seventh day of March in the Year One Thousand eight hundred and thirty seven.

[Signatures] Durham Hood, George Switzer, James “X” McIntyre, WG Lathum, F. B. Vinotee, Wm Christy, Not. Public

2nd April 1838

Protest

by

John F. Houchin
master of Flatboat
Columbus.

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State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that on this Second day of April, in the year of our Lord One Thousand eight hundred and thirty eight, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified,

Personally came and appeared John F. Houchin, master of a certain Flat Boat, called the Columbus, and with him also came and appeared Frederick Smith, one of the hands employed on said Boat,

Which said appearers after having been duly and solemnly sworn, by me, said Notary, upon the Holy Evangelists, voluntarily deposed and declared as follows, to wit:-

The said Master, that on or about the Ninth day of January last past (1838) they started from Hatcher's warehouse on Green river in the State of Kentucky, on board said Flat boat with a Cargo of Sixty one hogsheads of Tobacco consigned to Messrs. W.M. Lambeth & Thompson of this City:- that at the time of Starting aforesaid the said Boat was staunch, tight and in good order and condition, and had two men on board besides him, said Master, to work her:- that they proceeded on their way without meeting any thing worthy of relation, until the fourteenth day of January last, about Eight o'clock in the morning when they were near the mouth of Mud River, the said Boat struck on a Snag which broke a large hole in her bottom, broke her timbers and split her gunnels, so that she sunk up to the roof in fifteen minutes after she struck the snag, which was so concealed under the water that it was impossible to see it:- that they immediately set to work [illegible] the boat which they [illegible]

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as possible, and commenced taking out the Cargo which they effected in three or four days after the accident :- that on examination of the said Boat, they found her to be so much injured that it was impossible to repair her so as to enable them to proceed with her any further in safety :- and as they were unable to purchase a New Boat, after using every exertion for that purpose, they sold the said Tobacco and the Boat for the benefit of whom it might concern, having previously made a protest against said accident, before Solomon Rhodes a Justice of the peace for Muhlenberg County in the said State of Kentucky :- and finally that they, said appearers, arrived in this City on Saturday, the Thirty first day of March last past.

Now therefore because of the premises and as all the loss, damage or injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the Circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said Flat boat or default of him, the said Master, or of any of his crew, he, the said Master, now requires me, the said Notary to make his protest and this public act thereof in addition to the one above named, that the same may serve, and be and remain in full force and virtue as of right shall appertain

And the said Frederick Smith doth depose to concur and agree with the said Master in every particular contained, stated and expressed in the foregoing deposition, and solemnly declares the same to be true in every respect.

And thereupon the said Master doth protest and I, the said Notary, at his special instance and request, do by these presents publicly and solemnly protest against the unavoidable accident had and met with as aforesaid occasioned as aforesaid, whereby

by means whereof, the said Flat Boat and her said Cargo, have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Master or the owners, freighters or shippers of the said Flat boat or her said Cargo, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur or be put into, by, through or on account of the premises, or for which the insurer or insurers of the said Flat Boat or of her said Cargo, is or are respectively liable to pay or make contribution or average according to custom or to their respective contracts or obligations and that no part of such losses and expenses already incurred or hereafter to be incurred do fall on him, the said Master or on his Crew.

Thus done and protested in my Office at the said City of New Orleans in the presence of W. G. Autenn and F. B. Vinot, witnesses of lawful age and domiciliated in this City, who hereunto subscribe their names together with the said appearers and me, the said Notary, on the day, month and year set forth in the Caption hereof.

John H. O'Houchin
Jedediah Smith

W. G. Autenn

F. B. Vinot

Wm Christy

Tho Pitch

2nd April 1838
Protest by
John F. Houchin
Master of Flatboat
Columbus

State of Louisiana
City of New Orleans

[417] By this Public Instrument of Protest, be it known that on this Second day of April, in the year of our Lord One Thousand eight hundred and thirty eight, before me William Christy a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified.

Personally came and appeared John F. Houchin, master of a certain Flat Boat, called the *Columbus*, and with him also came and appeared Frederick Smith, one the hands employed on said Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed as follows, to wit:

The said Master, that on or about the Ninth day of January last past (1838) they started from Hatcher's warehouse on Green river in the State of Kentucky, on board said Flat boat with a cargo of Sixty one hogsheads of Tobacco consigned to Messes. W. M. Lambeth & Thompson of this City: that at the time of starting aforesaid the said Boat was staunch, tight and in good order and condition, and had two men on board besides him, said Master, to work her: that they proceeded on their way without meeting anything worthy of relation, until the fourteenth day of January last, about Eight o'clock in the morning when they were near the mouth of Mud River, the said Boat struck on a snag, which broke a large hole in her bottom, broke her timbers and split her gunnels, so that she sunk up to the roof in fifteen minutes after she struck the snag, which was so concealed under the water that it was impossible to see it: that they immediately set to work sawing the said snag so as to release the boat which they hauled to shore as speedily

[418] as possible, and commenced taking out the Cargo which they effected in three or four days after the accident: that on examination of the said Boat, they found her to be so much injured that it was impossible to repair her so as to enable them to proceed with her any further in safety: and as they were unable to purchase a New Boat, after using every exertion for that purpose, they sold the said Tobacco and the Boat for the benefit of whom it might concern, having previously made a protest against said accident, before Solomon Rhodes, a Justice of the Peace for Muhlenberg County in the said State of Kentucky: and finally that they, said appearers, arrived in this City on Saturday, the Thirty first day of March last past.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, the said Master, or of any of his crew, he the said Master, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Frederick Smith doth depose to concur and agree with the said Master in every particular contained, stated and expressed in the foregoing deposition and solemnly declares the same to be true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid occasioned as aforesaid, whereby

[419] or by means whereof, the said Flat Boat and her said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Flat boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him, the said Master or on his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinot, witnesses of lawful age and domiciliaited in this City who hereunto subscribe their names together with the said appearers and me, Notary, on the day, month and year set forth in the Caption hereof.

[Signatures] W. G. Lathum, F. B. Vinot, John F. Houchin, Frederick Smith, Wm Christy, Not. Public

3rd April 1838

Protest by Samuel Duncan of Flat Boat Henry Clay

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified :- Personally came and appeared Samuel Duncan, one of the hands employed on board the Flat Boat called the Henry Clay, owned by Martin Pirtle, of Tennessee.

Which said appearer, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists, voluntarily deposed, as follows to wit :

That he assisted to load the said Boat at Duncan's landing on the Hatchy river, in the said State of Tennessee, from which place she started on the Thirteenth or Fourteenth day of January last past (1838) with a cargo of about Two hundred and ninety Bales of Cotton, and commanded by Maj.r Thomas Shaw of Hardiman County, Tennessee, with five boo hands, to wit, the said appearer, John Corley, Felix Walker, — Peter, and Jerry, a Slave belonging to the said Martin Pirtle :- that at the time of starting as aforesaid, the said Boat was staunch tight, and in good order and condition :- that they proceeded down the river in safety until about Eleven o'Clock in the forenoon of the day after they started, the said Commander and hands being all on board discharging their duty, the said Boat ran on a log in deep water, the said log being so entirely concealed by the water that there was no ripple or break in the water to give notice of its being there :- that they used every means in their power to get the said boat off, until [illegible] in the afternoon of that day, when they discovered that owing to the river falling very fast, the said boat would sink, at which time they commenced [illegible] the said cargo by placing skids [illegible] and [illegible] thereby making a gangway [illegible]

from the boat to the shore :- whilst thus engaged there came an unusually strong and lengthy storm of wind and rain, during which the said Boat went over on one end still remaining on the log :- that the said Commander immediately gave notice of the casualty and collected hands to the number of twenty or thirty, got out all the cargo, and placed it in the best condition they could on the shore :- that Major Shaw, the commander, became so unwell, through exposure and working in the water, that he was unable to proceed any further, and the hands, excepting him, said deponent, were unwilling to proceed, having only been engaged to bring said boat to the mouth of Hatchey river, and considering themselves discharged, after having saved said Cargo, and placed it on shore in the best manner they could :- that as soon as the said Cotton had drained and dried as much as it could, Martin Pirtle, the owner of said Boat engaged James Hubbard to command her in the place of said Shaw, and employed another crew :- that they reloaded said Boat, and proceeded on their way to this post where they arrived on the Twenty eighth day of March last past. And the said deponent further declared that he was a hand on said boat from Duncan's landing whence she started until she arrived at this post that said boat was a good and substantial one, about Eighty feet long and eighteen feet wide, and the gunnels were about three feet deep on an average, that she had good and sufficient oars, and was well manned, and that her sinking was an unavoidable occurrence :- that she sunk in the corner of Haywood County, Tennessee, a few miles below the village called Eastanaula, in the woods about fifteen or twenty miles from any County seat that no protest was made by the said Shaw, Commander, against the accident aforesaid, on account of their great distance from any proper officer. - And the said deponent further declares that he is well acquainted with Major Thomas Shaw who commanded the said boat, when she sunk, that he is a sober, careful and responsible

man, and a skilful navigator, and has taken boats from Duncan's landing to the mouth of Hatchy said several times for different persons, during his residence in Hardeman County aforesaid. ——— And here personally came and appeared the above named James Hubbard, who, after having been duly and solemnly sworn upon the Holy Evangelists, voluntarily declared as follows, to wit: that he came on the flat Boat, called the Planter, from the point where the said Flat boat Henry Clay was sunk, in company with her after she was raised, and that from the mouth of the Hatchy river, he was employed by Martin Pirtle, the owner of said flat boat Henry Clay, to bring her down to this port, the former commander Thomas Shaw having been taken sick in consequence of exposure in getting up the said Boat and Cargo after she was sunk, and was unable to proceed on the voyage; - that the former crew of said boat all left after she was got up and the Cotton taken out of the river, except Samuel Duncan, who continued on the boat until her arrival at this port on the Twenty eighth day of March last past. ———

——— And here also personally came and appeared E D Jarver, who, after having been duly and solemnly sworn upon the Holy Evangelists, voluntarily deposed as follows, to wit: - that he is a planter and also a Merchant of the firm of Jarver & Harris in Hardeman County, Tennessee that the said Flat boat Henry Clay, was a sub=stantial and well made boat, about Eighty or Eighty five feet long and eighteen or nineteen feet wide, gunnels averaging three feet deep, and had good oars: - that he frequently saw and ex=amined her timbers while building: - that she was built and owned by Martin Pirtle who is an experienced Flat Boat builder, and had for two seasons followed freighting Cotton down Hatchy River and to New Orleans; - that the said appeaner was present at the landing of said Boat at Duncan's landing, on Hatchy, and being informed in One hundred and thirty pounds of Cotton

freighted on said Boat:- that he was present during the whole time said Boat was loading:- that she left Duncans landing on the 13th or 14th January 1838, and was in good condition and well provided and manned:- that he intersected said boat several miles below Duncan's landing, went on board of her, and felt well satisfied that she was safe, not leaking nor laden over the gunnel:- that he left said Boat on Monday about three o'clock P.M. between Duncan's landing and Eastanaula:- that on Wednesday morning, he received news that said boat had sunk, and being sick at the time, he sent his overseer and hands immediately to assist in saving the cargo that the next day, he, said appearer, went down and found the cotton all out and edged upon poles: that he saw the hands raise and bale the boat, one end of which was on the log on which it ran and caused it to sink:- that when the Boat was raised they discovered that it had sustained no damage:- that the cotton remained on shore for ten or twelve days, after which it was put on board the same boat, and, under the charge of James Hubbard, was sent to New Orleans:- and the said deponent further declared that the said Shaw, Commander of said Boat, is a sober, intelligent and respectable citizen of Hardiman County, is a skilful navigator, and has taken several flat boats from Duncans landing out of Hatchy river, and never before lost one:- that the Cotton above alluded to as being owned by said deponent and in which he was interested was not insured, and that the same attention was paid to that portion of the cargo insured, and the same exertions used to save it, as there were to the portion uninsured, to the best of his said deponents knowledge and belief.

Now therefore because of the premises and in all the loss, damage or injury which already have or may hereafter appear to have happened to the said flat-boat and to her said cargo, have been occasioned solely

by the circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said Flatboat or default of the said Commander or of any of his Crew, he the said Samuel Duncan, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain: — and thereupon the said Duncan doth protest, and I, the said Notary, at his special instance and request, do by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, whereby or by means whereof, the said Flatboat or her said Cargo have been damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Commander, or the owners, freighters or shippers of the said Boat or of her said Cargo or any other person or persons concerned in either, already have paid or may hereafter pay, sustain incur or be put unto, by or on account of the premises or for which the insurer or insurers of the said boat or of her said Cargo, is or are respectively liable to pay or make contribution or average according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall on him, the said Commander or on any of his crew.

Thus done and protested in my Office at the said City of New Orleans, in the presence of W. G. Sutton and F. B. Vinot, witnesses, who hereunto sign their names with said appearers and me Notary, on this Third day of April Eighteen hundred and thirty eight.

Samuel his X mark Duncan

W. G. Sutton

F. B. Vinot

C. D. Larson

Geo. H. Ward

3rd April 1838
Protest by
Samuel Duncan
Of Flat Boat
Henry Clay

State of Louisiana
City of New Orleans

[421] By this Public Instrument of Protest, be it known that this day before me William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified: Personally came and appeared Samuel Duncan, one of the hands employed onboard the Flat Boat called the *Henry Clay*, owned by Martin Pirtle of Tennessee.

Which said appearer, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed as follows, to wit:

That he assisted to load the said Boat at Duncan's landing on the Hatchy river, in the said State of Tennessee, from which place she started on the Thirteenth or Fourteenth day of January last past (1838) with a cargo of about Two hundred and ninety Bales of Cotton, and commanded by Maj. Thomas Shaw, of Hardiman County, Tennessee, with five bow hands, to wit, the said appearers, John Corley, Felix Walker, [blank space] Jeter, and Jerry, a slave belonging to the said Martin Pirtle: that as the time of starting as aforesaid, the said Boat was staunch, tight, and in good order and condition: that they proceeded down the river in safety until about Eleven o'clock in the forenoon of the day after they started, the said Commander and hands being all on board discharging their duty, the said Boat ran on a log in deep water, the said log being so entirely concealed by the water that there was no ripple on break in the water to give notice of its being there: that they used every means in their power to get the said boat off until late in the afternoon of that day, when they discovered that owing to the river falling very fast, the said boat would sink at which time they commenced discharging the said cargo, by placing skids on the Boat and on the shore thereby making a gangway and rolling the Cargo

[422] from the boat to the shore: whilst thus engaged, there came an unusually strong and lengthy storm of wind and rain, during which the said Boat went down one end still remaining on the log: that the said Commander immediately gave notice of the casualty and collected hands to the number of twenty or thirty, got out all the cargo, and placed it in the best condition they could on the shore: that Major Shaw, the commander became so unwell, through exposure and working in the water, that he was unable to proceed any further, and the hands, excepting him, said deponent, were unwilling to proceed, having only been engaged to bring said boat to the mouth of the Hatchy river, and considering themselves discharged, after having saved said Cargo, and place it on shore in the best manner they could: that as soon as the said Cotton had drained and dried as much as it could, Martin Pirtle, the owner of said Boat engaged James Hubbard to command her in the place of said Shaw, and employed another crew: that they reloaded said Boat, and proceeded on their way to this port where they arrived on the Twenty eighth day of March last past. And the said deponent further declared that he was a hand on said boat from Duncan's landing whence she started until she arrived at this port, that said boat was a good and substantial one, about Eighty feet long and eighteen feet wide, and the gunnels were about three feet deep on average, that she had good and sufficient oars, and was well manned, and that her sinking was an unavoidable occurrence: that she sunk in the corner of Haywood County, Tennessee, a few miles below the village called Eastananla, in the woods about fifteen or twenty miles from any County seat that no protest was made by the said Shaw, Commander, against the accident aforesaid, on account of their great distance from a proper officer: and the said deponent further declared that he is well acquainted with Major Thomas Shaw, who commanded the said boat when she sunk: that he is a sober, careful and responsible

[423] man, and a skilful navigator, and has taken hands from Duncan's landing to the mouth of Hatchy river several times for different persons, during his residence in Hardiman County aforesaid.

And here personally came and appeared the above named James Hubbard, who, after having been duly and solemnly sworn upon the Holy Evangelists, voluntarily declared as follows, to wit: that he came on the flat Boat, called the *Planter*, from the point where the said Flatboat *Henry Clay* was sunk, in company with her after she was raised, and that from the mouth of the Hatchy river, he was employed by Martin Pirtle, the owner of said flatboat *Henry Clay*, to bring her down to this port, the former Commander Thomas Shaw having been taken sick in consequence of exposure in getting up the said Boat and Cargo after she was sunk, and was unable to proceed on the voyage: that the former crew of said boat all left after she was got up and the Cotton taken out of the river, except Samuel Duncan, who continued on the boat until her arrival at this port on the Twenty eighth day of March last past.

And here also personally came and appeared E. D. Tarver, who, after having been duly and solemnly sworn upon the Holy Evangelists, voluntarily deposed as follows, to wit: that he is a planter and also a Merchant of the firm of Tarver & Harris in Hardeman County, Tennessee, that the said Flat boat *Henry Clay*, was a substantial and well made boat, about Eighty or Eighty five feet long and eighteen or nineteen feet wide, gunnels averaging three feet deep, and had good oars: that he frequently saw and examined her timbers while building: that she was built and owned by Martin Pirtle who is an experienced Flat Boat builder and has for two seasons followed freighting Cotton down Hatchy River and to New Orleans: that he said appearer was present at the loading of said Boat at Duncan's landing, owner and being interested in One hundred and sixty five Bales of Cotton

[424] freighted on said Boat: that he was present during the whole time said Boat was loading: that she left Duncan's landing on the 13th or 14th January 1838, and was in good condition and well provided and manned: that he intersected said boat several miles below Duncan's landing, went on board of her, and felt well satisfied that she was safe, not leaking nor laden over the gunnels: that he left said Boat on Monday about three O'Clock P. M. between Duncan's landing and Eastananla: that on Wednesday morning, he received news that said boat had sunk, and being sick at the time, he sent his overseer and hand, immediately to assist in saving the cargo that the next day, he, said appearer, went down and found the cotton all out and edged upon poles: that he saw the hands raise and bale the boat, one end of which was on the log, on which it ran and caused it to sink: that when the Boat was raised they discovered that it had sustained no damage: that the cotton remained on shore for ten or twelve days, after which it was put onboard the same boat, and under the charge of James Hubbard, was sent to New Orleans: and the said deponent further declared that the said Shaw, Commander of said Boat, is a sober, intelligent and respectable Citizen of Hardeman County, is a skilful navigator, and has taken several flatboats from Duncan's landing out of Hatchy river, and never before lost one: that the Cotton above alluded to as being owned by said deponent and in which he was interested was not insured, and that the same attention was paid to that portion of the cargo insured, and the same exertions used to save it, as there were to the portion uninsured, to the best of his, said deponent's knowledge and belief.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said flat boat and to her said Cargo, have been occasioned solely

[425] by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Flat boat or default of the said Commander or of any of his Crew, he the said Samuel Duncan, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall

appertain: and thereupon the said Duncan doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid soberly or by means whereof, the said Flat boat or her said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Commander, or the owners freighters or shippers of the said Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Commander or on any of his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinot, witnesses who hereunto sign their names with said appearers and me, Notary, on this Third day of April Eighteen hundred and thirty eight.

[Signatures] WG Lathum, F. B. Vinot, Samuel ‘X” Duncan, E. D. Tarver, James Hubbard, Wm Christy, Not Public

29th Jany 1838

Protest

by

James Smith

of

Flat Boat

C.J.W. No 27.

State of Louisiana:

City of New Orleans

By this Public Instrument of Protest, be it Known that on this Twenty Ninth day of January, in the Year of Our Lord, Eighteen hundred and thirty eight, before me, William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified. Personally came and appeared James Smith, H. McKee, Benjamin Barkley, Robert Thomas, and John Nelson, all of this City.

Which said appearers, after having been duly and solemnly sworn upon the Holy Evangelists voluntarily deposed as follows, to wit:—

The said James Smith, that about Ten or Twelve days ago, he took charge of Seven Flat Boats, which lay together, and were moored nearly opposite Byrne's Sawmill, a little above this City, among which was one marked C.J.W. No 27. laden with Coal from Pomeroy's Coalpot on the Ohio river, and owned by Crafts J. Wright, of Cincinnati, which boat and cargo was consigned to Francis Turner & Co and transferred to A. C. Armstrong, who, with said Wright, put him said appearer, in possession of said Boat:— that, at the time he took charge of said Boat, she was apparently tight, sound and in good order and condition, not leaking more than was necessary to keep her sweet:— that he employed from Six to ten hands all the time, watching said Boats:— that on Saturday, the Twenty seventh January instant, she was discovered to be in a sinking condition owing to having suddenly sprung a leak. And notwithstanding all their exertions, went down in not exceeding two hours time, the stern lying in the deepest water, the cargo stuffed back breaking the boat in two, make her a total loss. And the said appearers can only account for the springing of the leak by the frequent passing of steamboats so close as to occasion the same.

Now therefore, be it known, that I, the said Notary, at the request of the said appearers, do hereby protest against the said steamboats, and all the loss, damage and injury

* Very heavy swells, the said boat having been bumped out by the evening before was at that time tight and showed no defect.— This reference approved.— W.C. N.P.

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already have or may hereafter appear to have happened or accrued to the said Flat Boat or her said Cargo, have been occasioned solely by the circumstances hereinbefore stated and set forth, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, the said deponent, or of any of those persons whom he put in watch over the said Boat, he, the said deponent, requires me, the said Notary, to make his protest and this public act thereof; that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said H. McKee, Benjamin Barkley, Robert Thomas and John Nelson, who were employed by the said deponent to watch the said boats, do depose to concur and agree with the said deponent in the foregoing deposition and solemnly declare the same to be correct and true in every particular.

And thereupon the said James Smith doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, whereby or by means whereof the said Flat Boat and her said Cargo have been lost, for all losses, costs, charges, expenses, damage or injury, which the owners, freighters or shippers of the said Flat Boat or her said Cargo, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur, or be put unto, by, through, or on account of the premises or for which the insurer or insurers of the said Flat Boat or of her said Cargo, is or are respectively liable to pay or make contribution or average according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fail or ~~lessen~~ the said James Smith or on any of those persons employed by him as aforesaid.

Thus done and protested in

fices at the City of New Orleans aforesaid, in the presence of W. L. Latham and F. B. Vinet, witnesses, who hereunto sign their names, with the said appearers and me, said Notary, on the day and date set forth in the caption hereof.

W. L. Latham

F. B. Vinet

James Smith
Benjamin his Barkley
+
Robert his Thomas
×
John his Nelson
×
his
S. McNa
+

Wm Christy
Not Pub

29th Jany 1838

Acceptance of a Renunciation made by Mrs Jon. Davis Senr. in favor of Jonathan Davis Jr.

State of Louisiana:

City of New Orleans.

Be it Known that this day, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified,

Personally came and appeared Jonathan Davis Junior, of the Parish of Jefferson, in this State, who declared that whereas by an act passed in this Office on the Twenty first day of April Eighteen hundred and thirty four he purchased from his Father, Jonathan Davis Senior, also of said Parish, a certain plantation, situated on the First Island of Barataria, about twenty four miles from this City, in the said Parish of Jefferson, together with all the Stock farming utensils, and Eighteen Slaves as named and described in the said act, and also Two hundred and fifteen shares of the Capital Stock of the Union Bank

29th Jany 1838
Protest by
James Smith
Of Flat Boat
C. J. W. No. 27

State of Louisiana
City of New Orleans

[177] By this Public Instrument of Protest, be it known that on this Twenty Ninth day of January, in the Year of Our Lord, Eighteen hundred and thirty eight, before me, William Christy a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified, Personally came and appeared James Smith, H McKee, Benjamin Barkley, Robert Thomas, and John Nelson, all of this City.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed as follows, to wit:

The said James Smith, that about Ten or Twelve days ago, he took charge of Seven Flat Boats which lay together, and were moored nearly opposite Byrne's Sawmill, a little above this City, among which was one marked C. J. W. No. 27 laden with Coal from Pomeroy's Coalport on the Ohio river, and owned by Crafts I. Wright of Cincinnati, which boat and cargo was consigned to Francis Turner & Co and transferred to A. C. Armstrong who, with said Wright, put him said appearer, in possession of said Boat: that, as the time he took charge of said Boat, she was apparently tight, sound and in good order and condition, not leaking more than was necessary to keep her sweet: that he employed from Six to ten hands, all the time watching said Boats: that on Saturday, the Twenty seventh January instant, she was discovered to be in a sinking condition owing to having suddenly sprung a leak, and notwithstanding all their exertions, went down in not exceeding two hours time: the stern lying in the deepest water, the cargo drifted back, breaking the boat in two and made her a total lost: and the said appearers can only account for the springing of the leak by the frequent passing of steam boats so close as to occasion many heavy swells: the said boat having been [illegible] [illegible] [illegible] before was at that time tight and showed no defect.

Now therefore, because of the premises, and as all the loss, damage and injury, which

[178] already have or may hereafter appear to have happened or accrued to the said Flat Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, the said deponent, or any of those persons whom he put in watch over the said Boat, he the said deponent, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said H. McKee, Benjamin Barkley, Robert Thomas and John Nelson, who were employed by the said deponent to watch the said boats, do depose to concur and agree with the said deponent in the foregoing deposition and solemnly declare the same to be correct and true in every particular.

And thereupon the said James Smith doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, whereby or by means whereof, the said Flat Boat and her said Cargo have been lost, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and

that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said James Smith or any of those persons employed by him as aforesaid.

Thus done and protested in my

[179] office, at the said City of New Orleans in the presence of W G Latham and F.B. Vinot, witnesses who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the caption hereof.

[Signatures] WG Lathum, F. B. Vinot, James Smith, Benjamin “X” Barkley, John “X” Nelson, H. “X” McKee, Wm Christy, Not Public

10th February 1838

Protest by James Smith of Flat Boat C.J.W. 7.

State of Louisiana:

City of New Orleans.

By this Public Instrument of Protest, be it Known that on this Tenth day of February in the Year of Our Lord One Thousand eight hundred and thirty eight, before me, William Christy, a Notary Public in and for the said City and parish of New Orleans, duly commissioned and qualified.

Personally came and appeared James Smith, Arthur Braden, and Alpha Brown, all of this City

Which said appearers, after having been duly and solemnly sworn upon the Holy Evangelists voluntarily deposed, as follows, to wit:

The said James Smith, that, some days ago, he took charge of several Flat Boats among which was one marked C.J.W. No 7. laden with Coal from Pomerogs Coal Port on the Ohio River and owned by Crafts J. Wright, of Cincinnati which boat and cargo was consigned to Francis Turner & Co of this City and transferred to A.C. Armstrong, who with said Wright, put him, said appearer, in possession of said Boat:- that, at the time he took charge of said Boat, she was apparently sound and in good order and condition, not leaking more than was necessary to keep her sweet, and was moored outside of another boat which was secured to the shore a little above the City of Lafayette: that he employed from six to ten men all the time watching said boats, the said Arthur Braden having charge of said boat No 7:- that on the seventh day of February instant, it began to blow pretty fresh, the wind increasing until about noon, which caused the waves to roll over the sides of said boat, whereby she stifled a considerable quantity of water. That thereupon Arthur Braden went on shore and obtained the assistance of the men [illegible]

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that they continued working at the pumps without intermission in order to keep the said boat dry, until between two and three o'Clock in the afternoon, when, finding that all their exertions were unavailing, they left the said boat, which sunk in about five minutes after, and was totally lost. _____

_____ Now therefore, because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the circumstances hereinbefore stated and cannot nor ought not to be attributed to any insufficiency of the said Flat-boat or default of him, the said deponent or of either of the persons whom he put in watch over the said boat, he, the said deponent, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. _____

_____ And the said Arthur Braden and Alpheus Brown do depose to concur and agree with the said James Smith, in the foregoing deposition and solemnly declare the same to be correct and true in every particular.

_____ And thereupon the said James Smith doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Flat Boat and her said Cargo have been lost, for all losses, costs, charges, expenses, damage or injury which the owners, freightors or shippers of the said Flat Boat or her said Cargo, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur or be put to by reason or on account of the premises, or for which they or any or any of the said Flat Boat or her said

Cargo is or are respectively liable to pay or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall on him, the said James Smith or on any of those persons employed by him as aforesaid. _____

_____ Thus done and protested in my Office at the City of New Orleans aforesaid, in the presence of W. G. Latham and F. B. Vinot, Witnesses of lawful age and domiciliated in this City, who hereunto subscribe their names together with the said appearers and me, the said Notary, on the day and date set forth in the Caption hereof. Arthur Braden

John Brown

James Smith

W. G. Latham

F. B. Vinot

Wm. Ormsby

Pr Tuk

10th February 1838
Protest by
James Smith
Of Flat Boat
C. J. W. 7.

State of Louisiana
City of New Orleans

[237] By this Public Instrument of Protest, be it known that this Tenth day of February in the year of Our Lord One Thousand eight hundred and thirty eight, before me William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified

Personally came and appeared James Smith, Arthur Braden, and Alpha Brown, all of this City.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily depose as follows, to wit:

The said James Smith that some days ago, he took charge of several Flat Boats among which was one marked *C. J. W. No. 7* laden with Coal from Pomeroy's Coal Port on the Ohio River and owned by Crafts J. Wright, of Cincinnati which boat and cargo was consigned to Francis Turner & Co. of this City and transferred to A. C. Armstrong, who with said Wright, put him, said appearer, in possession of said Boat: that, at the time he took charge of said Boat, she was apparently sound and in good order and condition, not leaking more than was necessary to keep her sweet, and was moored outside of another boat which was secured to the shore a little above the City of Lafayette: that he employed from six to ten men all the time watching said boats, the said Arthur Braden having charge of said boat *No 7*: that on the seventh day of February instant, it began to blow pretty fresh, the wind increasing until about noon, which caused the waves to roll over the sides of said boat, whereby she slipped a considerable quantity of water, that the said Arthur Braden went on shore and obtained the assistance of the said Alpha Brown

[238] that they continued working at the pumps without intermission in order to keep the said boat dry, until between two and three o'clock in the afternoon, when, finding that all their exertions were unavailing, they left the said boat, which sunk in about five minutes after, and was totally lost.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, the said deponent or of either of the person whom he put in watch over the said boat, he, the said deponent, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Arthur Braden and Alpha Brown do depose to concur and agree with the said James Smith, in the foregoing deposition and solemnly declare the same to be correct and true in every particular.

And thereupon the said James Smith doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid soberly or by means whereof, the said Flat Boat and her said Cargo have been lost, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay,

sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or of her said

[239] Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said James Smith or on any of those persons employed by him as aforesaid.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinot, witnesses of lawful age and domiciliaited in this City who hereunto subscribe their names with said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] WG Lathum, F. B. Vinot, Arthur Braden, Alpha Brown, James Smith, Wm Christy, Not. Public

14th February 1838

Protest
by
James Smith
&
Flat Boat C.J.W. 13.

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that on this Fourteenth day of February, in the Year of our Lord, One Thousand eight hundred and thirty eight, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified,

Personally came and appeared James Smith, Arthur Braden and Hamilton McKee, all of this City,

Which said appearers, after having been duly and solemnly sworn upon the Holy Evangelists, by me, the said Notary, voluntarily deposed as follows, to wit:

The said James Smith, that some days ago, he took charge of several flat boats among which was one marked C.J.W. No. 13. laden with about 984 Barrels of Coal from Pomeroy's Coal Port, on the Ohio River, and owned by Crafts J. Wright, of Cincinnati, which boat and cargo was consigned to Francis Turner & Co. of this City, and transferred to A. C. Armstrong, who with said Wright, put him, said appearer, in possession of said boat: that at the time, he took charge of said boat, she was apparently sound and in good order and condition, not leaking more than was necessary to keep her sweet; and was moored outside of another boat, the two being secured to the Stern of the Steam Boat Uncle Sam, lying a little above the City of Lafayette in the Parish of Jefferson in this State: - that four other boats under said appearer's charge were lying a little below the two above mentioned, which said the boats were watched by the said Arthur Braden [illegible]

very boisterous. the wind blowing very heavy and causing the waves of the river to dash over the said boats. — that the said deponents Braden and Hamilton McKee believing that the four boats ~~lost~~ mentioned were in danger devoted the whole of their attention to them during the night of the Twelfth and the forenoon of the Thirteenth February instant that on their returning to the ~~two first~~ mentioned Boats, in the Forenoon aforesaid they discovered that the said Boat C.J.W. No 13 had sunk and was totally lost: for which circumstance they cannot account in any other way than by supposing that the waves must have dashed over said boat so violently as to fill her with water, and caused her to sink. —

Now therefore, because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the circumstances hereinbefore stated and cannot nor ought not to be attributed to any insufficiency of the said Flat boat, or default of them, the said appearers, he, the said deponent, now requires me, the said Notary, to make his protest, and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. —

And the said Arthur Braden and Hamilton McKee do depose to concur and agree with the said James Smith, in the foregoing deposition and solemnly declare the same to be correct and true in every particular

And thereupon the said James Smith doth protest and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the aforesaid Accident [illegible] met with as aforesaid, occasioned as aforesaid, whereby [illegible] the said Flat Boat

[illegible] Cargo have been lost [illegible] costs, charges, expenses, damage or injury which the owners, freighters or shippers of the said Flat Boat or her said Cargo, or any other person or persons concerned in either, already have paid or may hereafter pay, sustain, incur or be put into, by, through or on account of the premises, or for which the insurer or insurers of the said Flat Boat or of her said Cargo, is or are respectively liable to pay or make contribution in average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred do fall on them, the said appearers.

Thus done and protested in my office at the said City of New Orleans, in the presence of W. G. Lusham and F. B. Vinot, witnesses, who hereunto sign their names with the said James Smith, Arthur Braden and me, said Notary, the said Hamilton McKee not being able to write, makes his mark to these presents, after the same had been read and explained to him, by me, the said Notary, on the day and date set forth in the caption hereof.

James Smith
Arthur Braden
Hamilton his X mark McKee

W. G. Lusham
F. B. Vinot

[illegible]
[illegible] Pub

14th February 1838
Protest by
James Smith of
Flat Boat *C. J. W. 13*.

State of Louisiana
City of New Orleans

[265] By this Public Instrument of Protest, be it known that this Fourteenth day of February in the year of Our Lord One Thousand eight hundred and thirty eight, before me William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified

Personally came and appeared James Smith, Arthur Braden, and Hamilton McKee, all of this City.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily depose as follows, to wit:

The said James Smith that some days ago, he took charge of several flat boats among which was one marked *C. J. W. No. 13*, laden with about 984 Barrels of Coal from Pomeroy's Coal Port on the Ohio River and owned by Crafts J. Wright, of Cincinnati which boat and cargo was consigned to Francis Turner & Co. of this City and transferred to A. C. Armstrong, who with said Wright, put him, said appearer, in possession of said boat: that, at the time he took charge of said Boat, she was apparently sound and in good order and condition, not leaking more than was necessary to keep her sweet, and was moored outside of another boat, the two being secured to the stern of the Steam Boat, *Uncle Sam*, lying a little above the City of Lafayette in the Parish of Jefferson in this State: that four other boats under the said appearer's charge were lying a little below the two above mentioned, which said flat boats were watched by the said Arthur Braden and Hamilton McKee under said appearer's orders: that previous to and on the Twelfth day of February instant the weather became

[266] very boisterous, the wind blowing very hard and causing the waves of the river to dash over the said boats: that the said Arthur Braden and Hamilton McKee believing that the four boats mentioned were in danger devoted the whole of their attention to them during the night of the Twelfth and the forenoon of the Thirteenth February instant that on their returning to the two first mentioned Boats, in the Forenoon aforesaid they discovered that the said Boat *C. J. W. No 13* had sunk and was totally lost for which circumstance they cannot account in any other way than by supposing that the waves must have dashed over said boat so violently as to fill her with water, and caused her to sink.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat, or default of them, the said appearers, he, the said deponent, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Arthur Braden and Hamilton McKee do depose to concur and agree with the said James Smith, in the foregoing deposition and solemnly declare the same to be correct and true in every particular.

And thereupon the said James Smith doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned and aforesaid, where or by means whereof, the said Flat Boat

[267] and her said Cargo have been lost, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on them, the said appearers.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and F. B. Vinot, who hereunto sign their names with said James Smith, Arthur Braden, and me, Notary, the said Hamilton McKee not being able to write makes his mark to these presents, after the same had been read and explained to him, by me, the said Notary, on the day and date set forth in the Caption hereof.

[Signatures] WG Lathum, F. B. Vinot, James Smith, Arthur Braden, Hamilton “X” McKee, Wm Christy, Not. Public

555

24th December 1838

Protest

by

David Laughlin

master of Steamer

Logansport.

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it Known that on this Twenty fourth day of December in the year of our Lord, One Thousand eight hundred and thirty eight, Before me William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly Commissioned and qualified.

Personally came and appeared David Laughlin master of the Steam Boat Logansport, and with him also came and appeared Jacob King, William N. Rogers and John Crone Passengers on board said Boat.—

Which said appearers, after having been duly and solemnly sworn, by me, said Notary, upon the Holy Evangelists, voluntarily deposed and said as follows, to wit:

The said Master, that on the Twenty first day of November last past (1838) they left Cincinnati, in the State of Ohio, on board said Boat, bound to this Port, with a Cargo of Lard, Pork, Butter and Castings, consigned to Messrs. Francis Turner & Co of this City:— that when they started as aforesaid, the said Boat was staunch, tight, well manned and provided, and in good order and condition, and had a flat boat in tow, which they used for the convenience of the passengers, who were about Two hundred in number, in lightening out of the Ohio River:— that they proceeded on their voyage, without meeting with any circumstance worthy of relation, until the First day of December instant, at about Six o'Clock P.M. when they were at the foot of Buck Island, Crittenden County in the State of Arkansas, while in the act of landing the said Steam Boat at a Wood yard, for the purpose of taking in wood and laying [illegible] the night, she struck a Snag or log, concealed under her [illegible] side about mid ships, which stove a hole [illegible] boat [illegible]

she commenced filling with water: – that as soon as the said Boat struck the snag, they immediately went a head with the engine, in order to run the said Boat into shoaler water, so as to enable the passengers to get on shore, by means of the flat boat they had in tow: – that in a few minutes they run said boat into fifteen feet water, where she sunk down within a few inches of her cabin floor, in spite of all the exertions which were used by the said Master and his crew to save her: – that, after getting all the passengers with their luggage on shore in safety, they succeeded in landing eighteen horses which they had on board, and then procured assistance, and commenced saving as much of the cargo and of the boat as they possibly could: – that owing to their unremitting exertions and labour, about one fifth of the cargo, various parts of the engine, the furniture of the boat, and such portions as could be detached such as doors, sashes &c were saved, and that part of the cargo which was saved, was shipped immediately to this port by the Steam Boat Havana: – that he, the said Master left his mate and a sufficient number of hands at the place, for the purpose of saving and taking care of the property left in the said Boat, and made a Note of Protest against the accident aforesaid, before Daniel Hackleroad Esq. a Justice of the Peace for said Cattaraugus county on the 5th December instant: – that he, the said Master, then proceeded to this City, and arrived here at Two o'Clock on the morning of the Twenty third December instant. ———

——— Now therefore, because of the premises and as all the loss, damage and injury which already have, or may hereafter appear to have happened or accrued to the said Steam Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat, or default or neglect of him, the said Master, or of any of his crew, he

the said Master now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. ——

—— And the said Jacob King, William R. Rogers and John Crane, Passengers, do depose to concur and agree with the said Master in every particular contained, stated and expressed in the foregoing Deposition, and solemnly declare the same to be true in every respect. ——

—— And thereupon the said Master doth protest and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo, have been lost, damaged or injured, for all losses, costs, charges, damage or injury, which the said Master, or the owners, freighters or shippers of the said Boat and of her said Cargo, or any other person or persons interested or concerned in either, already have paid or may hereafter pay, sustain, incur, or be put into, by, through, or on account of the premises, or for which the insurer or insurers of the said Steam Boat and of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom, or to their respective contracts, or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred do fall upon him, the said Master, or upon any of his Officers and Crew. ——

—— Thus done and protested in my Office at the City of New Orleans aforesaid, in the presence of William C. Lachum and Henry C. Chinn, who hereunto subscribe their names, together with the said appearers, and the said Notary, on the day, month and year first

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set forth in the Caption hereof.

M. Dunham Jr.

David Laughlin

John Crane
Jacob King
W. R. Rogers

H. C. Lunn C

Ch. Cuty

Ch. Pick

557

Personly appeared before me the undersigned a justice of the peace in and for the County of and State of the undersigned Capt D Laughlin of the Steam Boat Logansport together with the officers of said boat and made oath that on the first day of December 1838 at about Six o clock P.M. at the foot of Buck Island while in the act of Landing said steam boat Logansport at a Woodyard for the purpose of taking in Wood and Laying too for the night that the said steam boat struck a Snag or Log on her Larbord side about midships which Snag stove a hole in said boat and she filled with water and sunk in a few minutes down within a few inches of her Cabin floor in about fifteen feet water and that every exertion within their power was made use of by the Capt & Crew of said boat for the preservation of the boat and Cargo and the the said Capt D Laughlin and officers of said Boat do hereby protest against any and all Loss or damage which said Boat or Cargo may sustain in Consequence of said Sinking

Sworn to and Subscribed before me this 5th day of December 1838 — Daniel Hartshorn J.P.

David Laughlin Master
William M. Dawson Pilot
Joseph L. Hildreth Mate

New Orleans aforesaid.

24th December 1838
Protest by
David Laughlin
Master of Steamer
Logansport

State of Louisiana
City of New Orleans

[555] By this Public Instrument of Protest, be it known that on this Twenty fourth day of December, in the Year of Our Lord, One Thousand Eight hundred and thirty eight, before me William Christy a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared David Laughlin master of the Steam Boat *Logansport*, and with him also came and appeared Jacob King, William N. Rogers and John Crone Passengers on board said Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said as follows, to wit:

The said Master, that on the Twenty first day of November, last past (1838) they left Cincinnati, in the State of Ohio, on board said Boat, bound to this Port, with a Cargo of Lard, Pork, Butter and Castings, consigned to Mess. Francis Turner & Co. of this City: that when they started as aforesaid, the said Boat was staunch, tight, well manned and provided, and in good order and condition, and had a flat boat in tow, which they used for the convenience of the passengers, who were about Two hundred in number, in lightening out of the Ohio River: that they proceeded on their voyage, without meeting with any circumstance worthy of relation, until the First day of December instant, at about Six o'clock P. M. when they were at the foot of Buck Island, Crittenden County in the State of Arkansas, while in the act of landing the said Steam Boat at a Wood yard, for the purpose of taking in wood and laying to for the night, She struck a snag or log concealed under water on her larboard side, about mid ships, which stove a hole in said boat, [illegible]

[556] she commenced filling with water: that as soon as the said Boat struck the snag, they immediately went ahead with the engine, in order to run the said Boat into shoaler [sic] water, so as to enable the passengers to get on shore, by means of the flat boat they had in tow: that in a few minutes the run said boat into fifteen feet water, where she sunk down within a few inches of her cabin floor, in spite of all the exertions which were used by the said Master and his crew to save her: that, after getting all the passengers with their luggage on shore in safety, they succeeded in landing eighteen horses which they had on board, and then procured assistance, and commenced saving as much of the cargo and of the boat as they possibly could: that owing to their unremitting exertions and labour, about one fifth of the cargo, various parts of the engine, the furniture of the boat, and such portions as could be detached such as doors, sashes were saved, and that part of the cargo which was saved, was shipped immediately to this port by the Steam Boat *Havana*: that he, the said Master left his mate and a sufficient number of hands at the place for the purpose of saving and taking care of the property left in the said Boat, and made a Note of Protest against the accident aforesaid, before Daniel Harklerson [?] Jr. a Justice of the Peace for said Crittenden County on the 5th December instant: that he, the said Master, then proceeded to this City, and arrived here at Two oClock in the morning of the Twenty third December instant.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steam Boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat or default or neglect of him, the said Master, or of any of his crew, he

[557] Personally appeared before me the undersigned & Justice of the peace in and fore the County of Crittenden and State of Arkansas, the undersigned Cpt. D. Laughlin of the Steam Boat *Logansport* together with the officers of Said boat and made oath that on the First day of December 1838 at about Six o clock P. M. at the foot of Buck Island, while in the act of Landing said Steam boat *Logansport* at a Wood yard for the purpose of taking in Wood and Laying too for the night that the said Steam boat struck a snag or log on her Larboard side about midships which snag stove a hole in said boat and she filled with water and sunk in a few minutes down within a few inches of her Cabin floor in about fifteen feet water and that every exertion within their power was made use of by the Cpt & Crew of said boat for the preservation of the boat and Cargo and the said Cpt. D. Laughlin and officers of said Boat Do hereby protest against any and all Loss or damage which said Boat or Cargo May sustain in consequence of said Sinking.

Sworn to and subscribed before}	David Laughlin, Master
Me this 6th day of December 1838-	William W. Dawson, Pilot
Daniel Harklerson, Jr J.P.	Joseph J. Hildseth, Mate

The said Master now requires me, the said Notary, to make his protest and this public act thereof that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Jacob King, William N. Rogers and John Crone, Passengers, do depose to concur and agree with said Master in every particular contained, stated and expressed in the foregoing Deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat and of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master, or on his said Officers and Crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of William G Latham and Henry C. Chinn, who hereunto sign their names with said appearers and me, Notary, on the day, month and year

[558] set forth in the Caption hereof.

[Signatures] WG Latham, H. C. Chinn, David Laughlin, John Crone, Jacob King, W. N. Rogers, Wm Christy, Not. Pub.

5th December 1838

Protest

by

Francis M. Johnson

master of Steamer

Washington

United States of America.

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it remembered that on this Fifth day of December, in the Year of Our Lord, One Thousand Eight hundred and thirty eight, and of the Independence of the United States of America, the Sixty third, before me William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified.—

Personally came and appeared Francis M. Johnson, Captain of the Steam Boat, Washington, Zachariah H. Jannehill, Clerk, John Vanderhoof, Second Engineer, Adam Hixenbough, Carpenter, George Cummings and John P. Legg, Seamen, belonging to and lately acting on board of the said Steam Boat, Washington, under the command of the said Francis M. Johnson.

Which said appearers after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists, did depose and say, as follows, to wit:—

The said Francis M. Johnson, Captain, that they left Louisville in the State of Kentucky on the Nineteenth day of November last past, (1838) on board said Steam Boat Washington, bound for Mobile, in the State of Alabama, with an assorted Cargo:— that at the time of leaving as aforesaid, the said Steam Boat was staunch, tight, well manned and provided, and in good order and condition:— that they proceeded on their voyage to the place of destination, as far as Glascock's Island, about twenty five miles below Natchez in the State of Mississippi, where they took in forty cords of wood, and whilst dropping down to a Woodyard about half a mile below to take in an additional supply of wood, and whilst swinging into the landing, the said Steam Boat struck something under water which rent a

be seen, and in about fifteen minutes she sunk to her cabin floor aft, and over her first deck forward :- that the time at which she struck was between Eleven and Twelve o'Clock on the night of the twenty ninth of November last past, and that the said night was a bright moonlight night, so that no other light than that of the moon was required to enable them to take in the wood from the bank of the river that the moment the said Steam boat struck, the engineer, who was on watch, immediately shipped the bilge pump, which continued to throw the water from the hold until the engine stopped working :- the fly wheel also throwing a large portion of water from the hold, and every exertion was used by the officers and crew to save the said Steam Boat and her cargo from damage :- that they secured her well to the Shore both from her stern and bow with strong grass ropes and a chain cable :- that they then commenced to get the cargo on Shore, and succeeded in saving about Four hundred barrels of flour (being part of the cargo) and a few other articles together with nearly all the furniture and tackle of the Boat, which, with Three hundred and thirty nine Barrels of the said Flour, were shipped on board the ~~said~~ Steamboat Sultan, bound for New Orleans :- that the remainder of the cargo &c still remains on board the said Steam Boat Washington which has now the whole of her main deck covered with water, and is under the charge of William James, the first mate and John Blair, a seaman, who are endeavouring to save every thing possible :- that on the Second day of December instant, they, the said appearers went before James H. Cook, a Notary Public, at Natchez, in the State of Mississippi, aforesaid, and entered their protest against the accident which had happened to the said Steamboat, as aforesaid

——— Now therefore, because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Steamboat Washington, and to her said Cargo, have been occasioned solely by the circumstances here-inbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat, or default or neglect of him, the said Francis M. Johnson, Captain, or of any of his Officers or crew; he, the said Captain, now requires me the said Notary to make his protest in a more extended forme than the one which was made at Natchez, and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. ———

——— And the said Zachariah H. Jan-nuhil, Clerk, John Vanderhoof, Second Engi-neer, Adam Hixenbough, Carpenter, George Cummings and John P. Legg, Seamen, do depose to concur and agree with the said Captain, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

——— And thereupon the said Francis M. Johnson doth protest, and I, the said No-tary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident af-oresaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo, is or are or have been lost, damaged or injured, for all losses, costs, charges damage or injury, which the said Captain, or the owners, freighters or shippers of the said Steamboat and her said Cargo, or any other person or persons interested or concerned in either, already have paid, or may hereafter pay, sustain, incur or be put unto, by, through or on account of the premises, or for which the insurer or insurers of the said Steam Boat or of her said Cargo, is or are [illegible]

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to pay or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such ~~obliga-~~ ~~tions~~ losses and expenses already incurred or hereafter to be incurred, do fall on him, the said Captain or on any of his Officers or Crew.

Thus done and protested in my Office at the said City of New Orleans, in the presence of W. G. Latham and H. C. Chinn, witnesses of lawful age and domiciliated in this City, who hereunto sign their names with the said appearers and me, said Notary on the day and date set forth in the Caption hereof.

W. G. Latham

H. C. Chinn

F. M. Johnson
E. H. Tunnicliff
John Vandebeck
A. Fizenbough
George Cummings
John P. Leff

5th December 1838
Protest by
Francis M. Johnson
Master of Steamer
Washington

United States of America
State of Louisiana
City of New Orleans

[467] By this Public Instrument of Protest, be it remembered that this Fifth day of December, in the Year of Our Lord, One Thousand Eight hundred and thirty eight, and of the Independence of the United States of American, the Sixty third, before me William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified_

Personally came and appeared Francis M. Johnson, Captain of the Steam Boat, "*Washington*", Zachariah H. Tannehill, Clerk, John Vanderhoof, Second Engineer, Adam Hixenbough, Carpenter, George Cummings, and John P. Legg, Seamen, belonging to and lately acting on board of the said Steam Boat, *Washington*, under the command of the said Francis M. Johnson.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, did depose and say, as follows, to wit:

The said Francis M. Johnson, Captain, that they left Louisville in the State of Kentucky on the nineteenth day of November last past, (1838) on board said Steam Boat *Washington*, bound for Mobile, in the State of Alabama, with an assorted Cargo: that at the time of leaving, as aforesaid, the said Steam Boat was staunch, tight, well manned and provided, and in good order and condition: that they proceeded on their voyage to the place of destination, as far as Glascock's Island, about twenty five miles below Natchez in the State of Mississippi, where they took in forty cords of wood, and whilst dropping down to a Wood yard about half a mile below to take in an additional supply of wood, whilst swinging into the landing, that said Steam Boat struck something under water which could not

[468] be seen, and in about fifteen minutes she sunk to her cabin floor aft, and over her first deck forward: that the time at which she struck was between Eleven and Twelve o'clock on the night of the twenty ninth of November last past, and that the said night was a bright moonlight night, so that no other light than that of the moon was required to enable them to take in the wood from the bank of the river, that the moment the said Steam boat struck, the engineer, who was on watch, immediately shipped the bilge pump, which continued to throw the water from the hold until the engine stopped working: the fly wheel also throwing a large portion of water from the hold, and every exertion was used by the officers and crew to save the said Steam Boat and her cargo from damage: that they secured her well to the shore both from her stern and bow with strong grass ropes and a chain cable: that they then commenced to get the cargo on shore, and succeeded in saving about Four hundred barrels of flour (being part of the cargo) and a few other articles together with nearly all the furniture and tackle of the Boat, which, with Three hundred and thirty nine Barrels of the said Flour, were shipped on board the Steamboat *Sultan*, bound for New Orleans: that the remainder of the cargo still remains on board the said Steam Boat *Washington* which has now the whole of her main deck covered with water, and is under the charge of William James, the first mate and John Blair, a seaman, who are endeavoring to save every thing possible: that on the Second day of December instant, they, the said appearers went before James K. Cook, a Notary Public at Natchez, in the State of Mississippi, aforesaid, and entered their protest against the accident which had happened to the said Steam boat, as aforesaid

[469] Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steamboat

Washington, and to her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat or default or neglect of him the said Francis M. Johnson, Captain, or of any of his Officers or crew, he, the said Captain, now requires me, the said Notary, to make his protest in a more extended form than the one which was made at Natchez, and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Zachariah H. Tannehill, clerk, John Vanderhoof, Second Engineer, Adam Hixenbough, Carpenter, George Cummings and John P. Legg, Seaman, do depose to concur and agree with said Captain, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Francis M. Johnson doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo, is or are or have been lost or damaged, or injured, for all losses, costs, charges, expenses, damage and injury, which the said Captain, or the owners, freighters or shippers of the said Steamboat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat or of her said Cargo, is or are respectively liable

[470] to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Captain or on his officers or crew.

Thus done and protested in my Office, at the said City of New Orleans in the presence of W G Latham and H. C. Chinn, witnesses of lawful age and domiciliaited in this City who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the Caption hereof-

[Signatures] WG Latham, H. C. Chinn, FM Johnson, ZH Tannehill, John Vanderhoof, A. Hixenbough, George Cummings, John P Legg, Wm Christy, Not Public

14th February 1839

Protest

by

Vachel M. D. Harding

master of Flat Boats

State of Louisiana

City of New Orleans

By this Public Instrument of Protest, be it Known that on this Fourteenth day of February, in the year of our Lord Eighteen hundred and thirty nine, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified,

Personally came and appeared Vachel Miles Duvall Harding, Master of two Flat-Boats designated by the Numbers "One" and "Two":- and with him also came and appeared Calvin Ketchum and Joseph Read, hands employed on board said Boats:-

Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:-

The said Master, that on the Fifteenth day of December 1838, they left Louisville in the State of Kentucky, with the said flat Boats, both laden with flour, and consigned to Messrs A & Wallace & Co of this City:- that when they started as aforesaid the said boats were staunch, tight well manned and provided, and in good order and condition:- that nothing particular happened on the voyage, until the Seventh day of February instant, when they were at the foot of Tunica Bend, the Steam Boat W. L. Robeson Jun. run foul of both flat-boats, breaking off the stearing oar of No 2, and one of the side oars of No 1, and straining the sterns of said boats so slightly as to be considered of no importance:- that they continued on their voyage, until between eight and nine o'Clock in the morning of the Eleventh February instant, when they were opposite Hampton's plantation, about fifteen miles below Lafourche, the said Master, who, for two days and two nights previously has been in the watch and had not slept, went below, leaving directions with his man

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to keep the boats as near as possible in the middle of the river, where they then were: - that the men commenced rowing, and in a few minutes, the said master looked out, and thought that the boats were sufficiently clear of the eddy: - that the force of the current was however too strong and drew them gradually into the eddy, in spite of all the exertions of the men to prevent it: - that in coming out of the end of the eddy, the said Boat No 1, struck on a snag under water about thirty yards from the shore, which in consequence of the water falling rapidly ran through the bottom of said boat near her middle: - that the said boat then swung round and thus made the hole in the bottom much larger so that she sunk in about ten minutes: - that as soon as they found that the said boat was sinking, they tore off the roof, and commenced taking out the cargo and placing it on the other boat: - that they succeeded in getting out about seventy or seventy five barrels of flour before it got wet, and inasmuch as the said boat lay too far from shore to allow of the erection of a stage, they immediately engaged the Brig Frederick Pearl to come along side and take the balance of the said boats cargo on board: - that the said Brig took on board Four hundred and twenty barrels of flour which were damaged; and the said flat Boat No 2 took about fifty barrels of damaged flour in addition to that which was dry: - that they sold the said Flat boat sticking on the snag, not being able to get her off: - that they proceeded on their voyage on the Twelfth February, about Ten o'Clock in the evening and arrived in this City this day at Twelve o'Clock Meridian: - the said Brig not having yet arrived. -

Now therefore because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Flat boat and to the said Cargo, have been occasioned solely by the circumstances hereinbefore recited

cannot nor ought not to be attributed to any insufficiency of the said Flat Boat, or default or neglect of him, the said Master, or of any of his crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be, and remain in full force and virtue as of right shall appertain. _____

_____ And the said Calvin Ketchum, (who was steering the said Flat Boat at the time the accident happened) and Joseph Read, hands, do depose to concur and agree with the said Master, in every particular contained, stated and expressed in the foregoing deposition and solemnly declare the same to be true in every respect. _____

_____ And thereupon the said Rachel Miles Duval Harding, master, doth protest, and I, the said Notary, at his special instance and request, do, by these present, publicly and solemnly protest against the unavoidable accident aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Flat Boat and her said Cargo, is or are or have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Master, or the owners, freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either, already have paid, or may hereafter pay, sustain, incur, or be put unto, by, through, or on account of the premises, or for which the insurer or insurers of the said flatbout or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred do fall upon him the said Master or on any of his Crew. _____

_____ Thus done and passed in my Office at the City of New Orleans aforesaid in the presence of William G. Jackson and [illegible]

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C. Chinn, witnesses of lawful age and domiciliated in this City, who hereunto subscribe their names, together with the said appearers and me, the said Notary, on this Fourteenth day of February Eighteen hundred and thirty nine.

W. Latham

V. W. D. Harding

Calvin Ketchum

his
Joseph X Read
mark

W. C. Chinn

W. Christy

Nor Pub

14th February 1839
Protest by
Vachel M. D. Harding
Master of Flat Boats

State of Louisiana
City of New Orleans

[277] By this Public Instrument of Protest, be it remembered that this Fifth day of December, in the Year of Our Lord, One Thousand Eight hundred and thirty nine, before me, William Christy a Notary Public in and for the said City and Parish of New Orleans duly commissioned and qualified

Personally came and appeared Vachel Miles Duvall Harding, Master of two Flat Boats designated by the Numbers "One" and "Two": and with him also came and appeared Calvin Ketchum and Joseph Read, hands employed on board said Boats:

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said as follows, to wit:

The said Master, that on the Fifteenth day of December 1838 they left Louisville in the State of Kentucky, with the said flat Boats, both laden with flour, and consigned to Mess. A H Wallace & Co. of this City: that when they started as aforesaid the said boats were staunch, tight well manned and provided, and in good order and condition: that nothing particular happened on the voyage, until the Seventh day of February instant, when they were at the foot of Tunica Bend, the Steam Boat *W. L. Robeson* [illegible] run foul of both flat boats, breaking off the steering oar of No 2., and one of the side oars of No 1., and straining the sterns of said boats so slightly as to be considered of no importance: that they continued on their voyage until between eight and nine o'clock in the morning of the Eleventh February instant, when they were opposite Hampton's plantation, about fifteen miles below Lafourche, the said Master, who, for two days and two nights previously had been on the watch and had not slept, went below leaving directions with his men

[278] to keep the boats as near as possible in the middle of the river, where they then were: that the men commenced rowing, and in a few minutes, the said master looked out, and thought that the boats were sufficiently clear of the eddy: that the force of the current was however too strong and drew them gradually into the eddy, in spite of all the exertions of the men to prevent it: that in coming out of the end of the eddy, the said Boat No 1. struck on a snag under water about thirty yards from the shore, which in consequence of the water falling rapidly ran through the bottom of said boat near her middle: that the said boat then swung round and thus made the hole in the bottom much larger so that she sunk in about ten minutes: that as soon as they found that the said boat was sinking, they tore off the roof and commenced taking out the cargo and placing it on the other boat: that they succeeded in getting out about seventy or seventy five barrels of flour before it got wet, and in as much as the said boat lay too far from shore to allow of the erection of a stage, they immediately engaged the Brig *Frederick Pearl* to come along side and take the balance of the said boats cargo on board: that the said Brig took on board Four hundred and twenty barrels of flour which were damaged: and the said flat Boat No 2 took about fifty barrels of damaged flour in addition to that which was dry: that they sold the said Flat boat sticking on the snag, not being able to get her off: that they proceeded on their voyage on the Twelfth February, about Ten oClock in the evening and arrived in this City this day at Twelve oClock Meridian, the said Brig not having yet arrived.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat boat and to her said Cargo, have been occasioned solely by the circumstances herein before stated and

[279] cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default or neglect of him, the said Master, or of any of his crew, he the said Master, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Calvin Ketchum, (who was steering the said Flat Boat at the time the accident happened) and Joseph Read, hands, do depose to concur and agree with said Master, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Vachel Miles Duval Harding, master, doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Flat Boat and her said Cargo, is or are or have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners, freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said flat boat or of her said Cargo, is or are respectively liable to pay, or make contribution or coverage, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his any of his crew.

Thus done and passed in my office, at the said City of New Orleans aforesaid in the presence of William G Latham and George C. Chinn, witnesses of lawful age and domiciliaited in this City who hereunto subscribe their names together with said appearers and me, Notary, on this Fourteenth day of February Eighteen hundred and thirty nine.

[Signatures] W G Latham, G C Chinn, VMD Harding, Calvin Ketchum, Joseph “X” Read, Wm Christy, Not. Public

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(452)

7th March 1839

Protest

by

William White

master of Flatboats

State of Louisiana

City of New Orleans

By this Public Instrument of Protest, be it known that on this Seventh day of March, in the year of our Lord, One Thousand eight hundred and thirty nine, before me, William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified William White, commander of Two flat Boats, designated by the Numbers One and Two, and with him also came and appeared Patrick E. Porter, Richard Johnson, William Thompson and John White, employed on said Boats _____

_____ Which said appearers, after having been duly and solemnly sworn upon the Holy Evangelists of Almighty God, voluntarily deposed and said as follows, to wit: _____

_____ The said William White, commander, that on the Twenty second day of January, Eighteen hundred and thirty nine, they left Gallatin County in the State of Kentucky, with a Cargo of Pork and Lard, bound for this Port, having nine men on board to navigate said Boats: - that when they started as aforesaid, the said Boats were staunch, tight, and well provided for the voyage: - that nothing particular occurred until late in the afternoon of the Twenty seventh of February last past, (1839) when they were about the Red Church, twenty four miles above this City, Boat Number One, being on the opposite side, Number Two on the inner side, and nearly opposite to each other, when a violent storm arose, and the said Patrick E. Porter took charge of Number Two, with the said Johnson and Thompson, as hands: - that the storm blew the said Boat Number Two on shore, in spite of all their exertions to prevent it, the storm being so violent, that they lost all command of said Boat: that in running ashore, the Boat struck something under water near shore, which caused her to sink immediately: -

that they set to work without delay and succeeded in making the said boat fast to the shore, and have since got all the Cargo out, with the exception of two or four bales, and finally that they arrived here on board said Boat Number One on the Fifth day of March instant.

Now therefore, because of the premises, and as all the loss damage and injury which already have or may hereafter appear to have happened or accrued to the said Flatboat and to her said Cargo, have been occasioned solely by the circumstances hereinbefore related, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat, or default or neglect of him the said Commander or of any of his crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve, and be and remain in full force and virtue, as of right shall appertain.

And the said, Patrick E Porter, Richard Johnson, William Thompson, and John White do depose to concur and agree with the said William White, commander, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said John White, commander doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Flat Boat, and her said Cargo, is or are, or have been lost, damaged or injured, for all losses, costs, charges, damage or injury, which the said Commander, or the owners, freighters or shippers of the said flat boat and of her said Cargo, and any other person or persons interested or concerned in either, already have paid or may hereafter pay, sustain, incur, or be put unto, by though, or on account of the premises or for which the insurer or insurers of the said flat boat or of her said Cargo, is or are respectively liable

to pay or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred do fall upon him, the said Commander, or upon any of his Crew, _____

_____ Thus done and passed, in my office at the said City of New Orleans, in the presence of W. G. Latham and H. C. Chinn, witnesses of lawful age, who hereunto sign their names, with the said appearers and me, said Notary, on the day and date set forth in the caption hereof. _____

H. M. White

Richard his X mark Lemon

Patrick C. Porter

William Thompson

John H. White

W. G. Latham

H. C. Chinn

Wm Christy

W. P. Park

7th March 1839
Protest by
William White
Master of Flat boats

State of Louisiana
City of New Orleans

[452] By this Public Instrument of Protest, be it known that this Seventh day of March, in the Year of Our Lord, One Thousand Eight hundred and thirty nine, before me William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified- William White, commander of Two flat Boats, designated by the Numbers One and Two, and with him also came and appeared Patrick E. Porter, Richard Johnson, William Thompson and John White, employed on said Boats.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed as follows, to wit:

The said William White, commander, that on the Twenty second day of January, Eighteen hundred and thirty nine, they left Gallatin County in the State of Kentucky, with a Cargo of Pork and Lard, bound for this Port, having nine men on board to navigate said Boats: that where they started as aforesaid, the said Boats were staunch, tight, and well provided for the voyage: that nothing particular occurred until late in the afternoon of the Twenty seventh of February last past, (1839) when they were about the Red Church, twenty four miles above this City, Boat Number One, being on the opposite side Number Two on the river side, and nearly opposite to each other, when a violent storm arose, and the said Patrick E. Porter took charge of Number Two, with the said Johnson and Thompson, as hands: that the storm blew the said Boat Number Two on shore, in spite of all their exertions to prevent it, the storm being so violent, that they lost all command of said Boat: that in running ashore, the Boat struck something under water near shore, which caused her to sink immediately:

[453] that they set to work without delay and succeeded in making the said boat fast to the shore and have since got all the Cargo out with the exception of two or three barrels and finally that they arrived here on board said Boat Number One on the Fifth day of March instant.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat boat and to her said Cargo, have been occasioned solely by the circumstances herein before related, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default or neglect of him the said Commander or any of his Crew, he, said Master now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Patrick E. Porter, Richard Johnson, William Thompson, and John White do depose to concur and agree with said William White, commander, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said John White, commander, doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Flat Boat and her said Cargo, is or are or have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Commander, or the owners freighters or shippers of the said flat boat and her said Cargo, and any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said flat boat or of her said Cargo, is or are respectively liable

[454] to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Commander, or upon any of his crew.

Thus done and passed in my office, at the said City of New Orleans in the presence of W G Latham and H. C. Chinn, witnesses of lawful age, who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the caption hereof.

[Signatures] Richard "X" Johnson, Patrick E. Porter, WM White, William Thompson, John W. White, WG Latham, HC Chinn, Wm Christy, Not. Public

8th June 1839

Protest

by

Francis C. Martin
master of flat boat
"Francis Marion"

(574)

State of Louisiana
City of New Orleans

By this Public Instrument of Protest, be it Known that on this Eighth day of June, in the Year of our Lord, One Thousand eight hundred and thirty nine, Before me William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified, Personally came and appeared Francis C. Martin, master of a certain Flat Boat, called the "Francis Marion", and with him also came and appeared William Barry & Jesse Hardin, hands employed on board said Boat. ——

—— Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said as follows, to wit:—

—— The said Master that on the third day of May last past (1839) they left Roach's warehouse, on Green River, in the State of Kentucky, on board said Flat Boat, with a cargo of sixty three hogsheads of Tobacco, Forty six of which were consigned to Messrs. Tate & Hopkins, of this City, and the balance to Messrs. Rogers Gray & Co of this City:— that when they started, as aforesaid, the said Flat Boat was staunch, tight, well-manned and provided, and in good order and condition for the voyage:— that they proceeded on their voyage, without meeting with any thing worthy of relation until about daybreak on the Twenty fifth of the said Month of May, when they were near Island No 59 or St Francis Island in the Mississippi river about twelve miles above the Town of Helena, in the ——— State of Arkansas, when they noticed a Steam Boat endeavouring to get up the Shute at that place:— that by the time they got below the foot of said Island the said Steam Boat, which was the Juno Boat Archimedes, which had got aground in passing up the Shute and had backed out, was crossing from the foot of the

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shute into the main river where said flat Boat was floating with the current :- that they saw from the relative positions of the two boats, that if the Snag Boat continued on her course, a collision must inevitably ensue; they therefore made every signal in their power, by shouting and waving lighted brands, to warn the said Snagboat of their situation, but no notice was taken of their signals, and the said Snag boat struck said flat boat between the bow and midships, and broke the gunnel, which caused her to sink in less than five minutes after the concussion; that they immediately requested Charles Brown, commander of said Snag Boat, to take them in tow, which he did, and in answer to their question as to what had induced him to run them down, replied that he was getting out of bed at the time and was not on watch, and that the Pilot was to blame :- that the said flat boat was towed down to Helena aforesaid, and the hands of the Snag Boat, by order of their Commander unloaded said flat boat and placed the cargo on the wharf, without charge for their labour :- that the next day (the 26th) the said Cargo was reshipped on board the Steamboat North Alabama, and arrived at this Port on the Thirtieth day of May aforesaid :- and finally, that whilst they were at Helena, they went before Thomas B. Hanley, a Notary Public and made a Statement under oath of all the circumstances under which the said accident occurred.

Now therefore, because of the premises and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat boat and her said Cargo have been occasioned solely by the circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said flat boat, or default or neglect of him the said Master or of any of his crew, he the said Master on behalf of himself, the said Notary, to enter his protest and this public act thereof. Thus done and passed

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Helena Ark. May 25th 1839

A Statement of the facts and circumstances attending the sinking and wreck of the Flat boat "Francis Marion" which occurred at Island No 89 or "St. Francis Island" in the Mississippi river some twelve miles above the Town of Helena Ark.

The "Francis Marion" was owned by Robert H Gaines Esq of Green County and State of Kentucky and received her freight at Roach's Navigation on Green river in said State on the 3rd day of May 1839, which consisted of sixty three hogsheads of Tobacco;— the "Francis Marion" was destined for the port of New Orleans and her cargo was consigned to the care of Messrs. Tate & Hopkins and Messrs Rogers & Gray merchants of said City as will appear by reference had to the bills of lading herewith enclosed. Said boat was under the superintendence and management of H. C. Martin as master. The "Francis Marion" had reached the above mentioned point on the Mississippi river, when about 4 O'clock in the morning of the 25th of this month (May) she was run against by the tug boat "Archimedes" commanded by one Irvin, and in consequence of the injury received from the collision, she sunk immediately. Signs were made and given to the Pilot of the Archimedes in time as was supposed, for him to have avoided the collision which ensued, but they were disregarded by him.

H C Martin Captain of the Francis Marion

William his + mark Lacey (Hand)

Jesse his + mark Haselrig (Hand)

Sworn to & subscribed before Thomas B Hanly Notary Public within and for the County of Phillips & State of Arkansas at Helena this 25th day of May AD 1839. In witness whereof I have hereunto set my proper hand and the seal of office

T B Hanly Seal
Notary Public

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and be and remain in full force and virtue as of right shall appertain.

And the said William Sacry, his + mark, and Jesse Hazelip, do depose & concur and agree with the said Master, in every particular contained in his said deposition, and solemnly declares the same to be true in every respect.

And thereupon the said Master doth protest and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident aforesaid, whereby or by reason whereof, the said flat boat and her Cargo have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Master, or the owners, freighters or shippers of the said flat boat and her said Cargo, already have paid or may hereafter pay, sustain, incur or be put unto, by, through or on account of the premises, or for which the insurer or insurers of the said flat boat and her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall upon him, the said Master or upon any of his Crew.

Thus done and protested in my Office in the said City of New Orleans, in the presence of W. G. Sathard and A. C. Chinn, witnesses of lawful age, and domiciliated in this City, who hereunto sign their names, with the said appearers and me, said Notary, on the day and date set forth in the Caption hereof. /Five words interlined and one erased, approved before signing/.

A. C. Master

W. G. Sathard

William his + mark Sacry

A. C. Chinn

Jesse his + mark Hazelip

8th June 1839
Protest by
Francis C. Martin
Master of flat boat
Francis Marion

State of Louisiana
City of New Orleans

[514] By this Public Instrument of Protest, be it known that this Eighth day of June, in the Year of Our Lord, One Thousand Eight hundred and thirty nine. Before me William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified, Personally came and appeared Francis C. Martin, master of a certain Flat Boat, called the "*Francis Marion*", and with him also came and appeared William Sacry and Jesse Hazelip, hands employed on board said Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said as follows, to wit:

The said Master that on the Third day of May last past (1839) they left Roach's warehouse, on Green River, in the State of Kentucky, on board said Flat Boat, with a cargo of sixty three hogsheads of Tobacco, Forty six of which were consigned to Messes. Tate & Hopkins, of this City, and the balance to Messes. Rogers, Gray & Co. of this city: that when they started, as aforesaid, the said Flat Boat was staunch, tight, well-manned and provided, and in good order and condition for the voyage: that they proceeded on their way, without meeting any thing worthy of relation until about daybreak on the Twenty fifth of the said Month of May, when they were near Island No 59 or St. Francis Island in the Mississippi river about twelve miles above the Town of Helena, in the State of Arkansas, when they noticed a Steam Boat endeavouring to get up the shute at that place: that by the time they got below the foot of said Island, the said Steam Boat, which was the United States Snag Boat, *Archimedes*, which had got aground in passing up the shute and had backed out, was crossing from the foot of the

[515] shute into the main river where said flat Boat was floating with the current: that they saw from the relative positions of the two boats, that if the Snag Boat continued on her course, a collision must inevitably ensure: they therefore made every signal in their power, by shouting and waving of lighted brands to warn the said Snag boat of their situation, but no notice was taken of their signals, and the said Snag boat struck said flat boat between the bow and mid ships, and broke the gunnel, which caused her to sink in less than five minutes after the concussion: that they immediately requested Charles Irvin, Commander of said Snag Boat to take them in tow, which he did, and in answer to their question as to what had induced him to run them down, replied that he was getting out of bed at the time and was not on watch, and that the Pilot was to blame: that the said flat boat was towed down to Helena aforesaid, and the hands of the Snag boat, by order of their Commander unloaded said flat boat and placed the cargo on the wharf, without charge for their labour: that the next day (the 26th) the said Cargo was reshipped on board the Steam boat *North Alabama*, and arrived at this Port on the Thirtieth day of May aforesaid: and finally, that whilst they were at Helena, they went before Thomas B. Harley, a Notary Public and made a Statement under oath of all the circumstances under which the said accident occurred.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat boat and her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said flat boat or default or neglect of him, the said Master or of any of his crew, he, the said Master, now requires me, the said Notary, to make their protest and this public act thereof, that the same may serve

[516] and be and remain in full force and virtue as of right shall appertain.

And the said William Sacry and Jesse Hazelip do depose to concur and agree with said Captain, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the accident aforesaid, whereby or by means whereof, the said flat boat and her Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said flat boat and of her said Cargo, already have paid or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said flat boat and her said Cargo, is or are respectively liable to pay, or make contribution or coverage, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or upon any of crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and H. C. Chinn, witnesses of lawful age and domiciliaited in this City who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] WG Latham, HC Chinn, F C Martin, William "X" Sacry, Jesse "X" Hazelip, Wm Christy, Not Public

Helena, Arks May 25th 1839
A Statement of the Facts and circumstances attending the sinking and wreck of the Flat boat "*Francis Marion*" which occurred at Island No 59 or "St. Francis Island" in the Mississippi river some twelve miles above the Town of Helena Arks.

The "*Francis Marion"* was owned by Robert H Gaines & Co of Green County and State of Kentucky and received her freight at Roach's Ware house on Green river in said State on the 3rd day of May 1839, which consists of sixty three hogsheads of Tobacco: the "*Francis Marion*" was destined for the port of New Orleans and her cargo was consigned to the care of Messes Tate & Hopkins and Messes Rogers & Gray merchants of said City as will appear by [illegible] had to the bills of lading herewith enclosed. Said boat was under the superintendence and management of F. C. Martin as master. The "*Francis Marion*" had reached the above mentioned point on the Mississippi river, when about 4 Oclock in the morning of the 25th of this month (May), she was ran against by the Snag boat '*Archimedes*' commanded by one Irvin, and in consequence of the injury incurred from the collision, she sunk immediately. Signs were made and given to the Pilot of the *Archimedes* in time as was supposed, for him to have avoided the collision, which ensued, but they were disregarded by him.

Sworn to & subscribed before Thomas B. Hardy Not. Public, within and for the County of Philips & State of Arkansas at Helena this 25th day of May past 1839. In witness whereof I now hereunto set my presiding seal to being as seal of office.
T. B. Hardy, Notary Public

[Signatures] H C Martin, Captain of the Francis Marion, William "X" Sacry Jesse "X" Hazelip

22 January 1840.

Protest
by
Elijah Sprague
owner
of a Flat Boat

State of Louisiana.
City of New Orleans.

By this Public Instrument of Protest, be it known that on this Twenty second day of January in the year of our Lord, One Thousand eight hundred and forty, before me, William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified,

Personally came and appeared Elijah Sprague, owner of a certain Flat Boat, having no name or designation, and with him also came and appeared William C. Shepherd, commander of said Boat, and Robert Short and Thomas J. Long, two of the hands lately employed thereon,

Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said, as follows, to wit:

The said Elijah Sprague, that on the Ninth day of December last past (1839) they left Cincinnati, in the State of Ohio, on board said flat boat, laden with Flour and Apples, and bound for this Port: that when they started as aforesaid, the said boat was staunch, tight, well manned and provided and in good order and condition for the voyage: that they descended the Ohio River, without meeting any thing worthy of relation, until the Eighth day of January instant, when about half past four o'clock in the afternoon, they arrived at Cash Island Bar, six miles above the mouth of the Ohio River: that in going through the channel at that place, they observed at a distance, a snag, which they used every exertion in their power to avoid and endeavored to land, but without avail, as the current was so strong it was impossible to get out of the channel; which was only three and a half feet deep, and the said Boat drew [illegible] feet water: that [illegible]

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such violence against said Snag, that a plank from the timbers on the bottom near the bow of said boat was torn off, and an opening made, through which the water rushed so as to make said Boat sink in less than two minutes, to the bottom of the channel and three tiers of the Stone got wetted with water, being about Four hundred Barrels: that without loss of time, in mooring they procured lighters and assistance and by indefatigable exertions got all the Cargo which was not wet, on shore the same night; following morning they got the remainder of the Cargo on shore, with the exception of Ten or Eleven Barrels: that on the Twelfth day of January instant they went before John O. Marsh, a Justice of the Peace for the County of Alexander and State of Illinois, and made affidavits as to the circumstances attending the accident above mentioned: that they had previously reshipped the whole of the Cargo they had saved, on board the Steam Boat "Governor Shelby", to be brought down to this City, and for which they were charged One Dollar per Barrel, having made several applications to other Steam Boats, in the hope of being able to get the Cargo brought down at a lower rate, but without effect: that the said Steam Boat "Governor Shelby", left the place where the accident occurred, at noon, the said Twelfth day of January, and arrived at this Port with the said Cargo, yesterday, at noon.

Now therefore, because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said flat boat and her said Cargo, or either, have been occasioned solely by the circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said flat boat, or default or neglect of her Commander, Officers or any of his Crew, or to any other Cause, or of any of the Owners, or Shippers of the said Cargo, now and the full [illegible] make his full [illegible] that the same may [illegible] full force and [illegible]

[illegible] Shepherd

Commander, and Robert Short and Thomas J. Long, hands, do depose to concur and agree with the said Elijah Sprague in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect. _____

_____ And thereupon, the said Elijah Sprague doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said flat-boat and her said Cargo, is or are or have been lost, damaged or injured for all losses, costs, charges, expenses, damage or injury which the said Commander, or the owner, freighter or shipper of the said flat-boat and her said Cargo, or any other person or persons interested or concerned in either, already have paid, or may hereafter pay, sustain, incur or be put unto, by, through or on account of the premises, or for which the insurer or insurers of the said flat-boat and her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall upon him, the said Sprague, or upon the Commander or Crew of said Flat-Boat. _____

_____ Thus done and protested in my Office at New Orleans aforesaid, in the presence of W. G. Lathem and G. Ranshide, witnesses, who hereunto sign their names with the said appearers and me, said Notary, on the day and date set forth in the Caption hereof.

E. Sprague,
William B. Stephens
Robert Short
Thomas J. Long

W. G. Lathem
Geo. Ranshide

22nd January 1840
Protest by
Elijah Sprague
Owner of a Flat Boat

State of Louisiana
City of New Orleans

[169] By this Public Instrument of Protest, be it known that this Twenty second day of January, in the Year of Our Lord, One Thousand eight hundred and forty, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana foresaid, duly commissioned and qualified.

Personally came and appeared Elijah Sprague, owner of a certain Flat Boat, having no name or designation, and with him also came and appeared William C. Shepherd, commander of said Boat, and Robert Short and Thomas J. Song, two of the hands lately employed thereon. Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

The said Elijah Sprague, that on the Ninth day of December last past (1839) they left Cincinnati, in the State of Ohio, on board said flat boat, laden with Flour and Apples, and bound for this Port: that when they started as aforesaid, the said boat was staunch, tight, well manned and provided and in good order and condition for the voyage: that they descended the Ohio River, without meeting any thing worthy of relation, until the Eight day of January instant, when about half past four o'Clock in the afternoon, they arrived at Cash Island Bar, six miles above the mouth of the Ohio River: that in going through the channel at that place, they observed at a distance, a snag which they used every exertion in their power to avoid and endeavored to land, but without avail, as the current was so strong it was impossible to get out of the channel which was only three and a half feet deep, and the said Boat drew three feet water: that the current [illegible] Boat with

[170] such violence against said Snag, that a plank from the timbers on the bottom near the bow of said boat was torn off, and an opening made, through which the water rushed so as to make said Boat sink in less than two minutes, to the bottom of the channel and three tiers of the Flour got covered with water, being about Four hundred Barrels: that without loss of time, next morning they procured lighters and assistance and by indefatigable exertions got all the Cargo which was not wet on shore and the day following they got the remainder of the Cargo on shore, with the exception of Ten or Eleven Barrels: that on the Twelfth day of January instant they went before John O Marsh, a Justice of the Peace for the County of Alexander and State of Illinois, and made affidavits as to the circumstances attending the accident above mentioned: that they had previously reshipped the whole of the Cargo they had saved on board the Steam Boat *"Governor Shelby"* to be brought down to this City and for which they charged One Dollar per Barrel, having made several applications to other Steam Boats, in the hope of being able to get the Cargo brought down at a lower rate, but without effect: that the said Steam Boat *"Governor Shelby"* left the place where the accident occurred, at noon the said Twelfth day of January, and arrived at this Port with the said Cargo, yesterday, at noon.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said flat boat and to her said Cargo, or either, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said flat boat or default or neglect of the Commander thereof, or of any of his Crew, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said William C. Shepherd,

[171] Commander, and Robert Short and Thomas J. Long, hands, do depose to concur and agree with said Captain, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon, the Elijah Sprague doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid occasioned as aforesaid, whereby or by means whereof, the said flat boat and her said Cargo, is or are or have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Commander, or the owners freighters or shippers of the said flat boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said flat boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Sprague, or upon the Commander or Crew of said Flat Boat.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and G. Raushide, witnesses who hereunto sign their names with said appearers and me, said Notary, on the day and date set forth in the Caption hereof.

[Signature] WG Lathum, Geo Raushide, E Sprague, William Shepherd, Robert Short, Thomas J. Long, Wm Christy, Not Public

23rd February 1841

Protest

SS "Creole"

State of Louisiana

City of New Orleans

By this Public Instrument of Protest, be it known that on this Twenty third day of February in the year of our Lord, One thousand eight hundred and forty one,

Before me William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified,

Personally came and appeared Peter Dalman Master of the Steam Boat called the "Creole", and with him also came and appeared Edward H. Pomroy, Clerk, George Sweeny, Mate, Wesley Clark, Engineer, John W. Johnson Pilot, all of said Boat, and Wade H. Bynum, and Aaron Prescott Passengers on board said Boat.

Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said, as follows, to wit:

The said Master, that on the Nineteenth day of February instant, they left Natchitoches in this State on board said Boat, with part of a Cargo, bound for this port, and proceeded down Red River, occasionally stopping to receive Cargo and passengers, until they arrived at Alexandria in this State, where they completed their Cargo; - that they left Alexandria, having on board about 965 Bales of Cotton, Five thousand Dollars in Specie, near Sixty Cabin Passengers, and from twenty to twenty five Deck passengers; - that when they Started from Alexandria as aforesaid, the said Boat was staunch, light, well manned and provided, and in good order and condition for this voyage; - that they proceeded on the voyage, nothing particular happening, until about half past five o'clock in the morning of the Twenty second February instant, when they were about five or six miles below Red River Cut-off, the alarm of fire was given, and it was discovered that it had broken out in the after end of the boat, - that every possible exertion was made by all on board to subdue the flames, which proving to be unavailing, the said Master ordered the Pilot to run the boat ashore, which was

immediately done, but she no sooner struck the bank than the edge of the Bank fell on the bow of the boat and she swung off:- that the said Master then ordered the starboard wheel to be unshipped for the purpose of keeping the Boat in shore, but it could not be done, as the fire was so intensely hot that the Engineer could not stay below:- that the Boat sheered off into the middle of the River, when, as it was found to be entirely useless to attempt to save the Boat, they began to throw Bales of Cotton overboard, being the only means of saving the lives of the persons in the Boat, and several passengers leaped overboard:- that the Boat then struck the opposite side of the river and the remainder of the passengers and crew got on shore, he said Master being the last to leave the boat, which again sheered off, completely in flames, and sunk about five miles below the last place at which she struck the shore:- that the whole of the Cargo, the Boat's books, papers, money &c were lost with the exception of not more than forty or fifty bales of Cotton thrown overboard, which may possibly be picked up on the river, and eight passengers and one of the firemen are known to be missing;- that the Steamer Baltic which was below coming up the river, sent a yawl, and rendered great assistance, in saving persons who were floating on Cotton Bales in the river, it being impossible to get on board the Creole on account of the fire:- that the said appearers and part of the passengers took passage on board the Steamer General Gaines bound for this port, and as soon as they arrived at Bayou Sarat, being the first port, after they left the place where the fire occurred, they went on shore to the office of a Notary Public in order to make a protest, but there being no one in said Office, and it being impossible for the "General Gaines" to wait any longer for them, they were unable to make their protest, therefore they proceeded to this Port, and arrived here at one o'clock P. M. this Twenty third day of February instant.-

Now therefore, because of the premises and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steam Boat Creole and her said Cargo, have been occasioned solely by the circumstances hereinbefore stated, and the cause whereof is unknown to my principle

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Cargo of Steamer Creole

Sta A Pontchartrain	28		
Achille "	157		
C. Carpenter	107		
P. F.	86		
F. P.	15		
Fme Pontchartrain	161		
A	24		
Copland	105		
Bessie Forey	17	688 Bales cotton	D. B. Planchard & Payson Ashe
J. F. Hertzog	41	" "	
J. H.	20		
W. S.	16		
Fc Carpenter	32	58 Bales cotton	A. Triard & Co
S. M. S.	14		
L. C.	57		
L. E. Abert	16	89 Bales cotton	Lammack & R
J. B. F. Becker	2	Bales cotton	L. Lacaspertin
I. F.	1	Bales cotton	W. Nel & Thompson
L. B.	10	Bales cotton	Blair & Patterson
F. & B.	54	Bales cotton	C. Toledano
$5000	Specie		Exchange Bank

precaution having been taken on board said boat to prevent accidents, and cannot and ought not to be attributed to any insufficiency of the said Boat or default or negligence of him, the said Master, or of any of his crew, he the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

— And the said Edward H. Pomroy, George Sweeny, Wesley Clarke, John W. Johnson, Wade H. Bynum & Aaron Prescott, do depose to concur and agree with the said Master in every particular contained, stated and expressed in his foregoing deposition, and solemnly declare the same to be correct and true in every respect.

— And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, whereby or by means whereof, the said Boat and Cargo have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Master or the owners, freighters or shippers of the said Boat, and her said Cargo, or any other person or persons interested or concerned in either, already have paid, or may hereafter pay, sustain, incur, or be put unto, by, through or on account of the premises, or for which, the insurer or insurers of said Boat and Cargo is or are respectively liable to make contribution or average, according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall upon him, said Master, or on his Crew.

— Thus done and protested in my Office at New Orleans aforesaid in the presence of W. L. Latham and Wm. H. Christy, witnesses, who hereunto sign their names, with said appearers and me, said Notary, on the day and date set forth in the caption hereof.

Aaron Prescott — George Sweeny — Peter Palmer Master
John W. Johnson — Wesley Clarke — Edw. H. Pomroy
W. H. Bynum
W. L. Latham
Wm. Christy
Wm. Christy
Notary

23rd February 1841 **State of Louisiana**
Protest **City of New Orleans**
SB *"Creole"*

[319] By this Public Instrument of Protest, be it known that this Twenty-third day of February, in the Year of Our Lord, One Thousand Eight hundred and forty one,

Before me William Christy a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared Peter Dalman Master of the Steam Boat called the *"Creole"*, and with him also came and appeared Edward H. Pomroy, clerk, George Sweeny, Mate, Wesley Clark, Engineer, John W. Johnson, Pilot, all of said Boat, and Wade H. Bynum and Aaron Prescott, Passengers on board said Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

The said Master, that on the Nineteenth day of February instant, they left Natchitoches in this State on board said Boat, with part of a cargo, bound for this port, and proceeded down Red River, occasionally stopping to receive Cargo and passengers, until they arrived at Alexandria in this State, where they completed their Cargo: that they left Alexandria, having on board about 965 Bales of Cotton, Five thousand Dollars in Specie, near Sixty Cabin Passengers, and from twenty to twenty five Deck passengers: that when they started from Alexandria as aforesaid, the said Boat was staunch, tight, well manned and provided, and in good order and condition for the voyage: that they proceeded on the voyage, nothing particular happening, until about half past five o'clock in the morning of the Twenty second February instant, when they were about five or six miles below Red River Cut-off, the alarm of fire was given, and it was discovered that it had broken out in the after end of the boat: that every possible exertion was made by all on board to subdue the flames, which proving to be unavailing, the said Master ordered the Pilot to run the boat ashore, which was

[320] immediately done, but she no sooner struck the bank than the edge of the Bank fell on the bow of the boat, and she swung off: that the said Master then ordered the starboard wheel to be unshipped for the purpose of keeping the Boat in shore, but it could not be done, as the fire was so intensely hot that the Engineer could not stay below: that the Boat sheered off into the middle of the River, when, as it was found to be entirely useless to attempt to save the Boat, they began to throw Bales of Cotton overboard, being the only means of saving the lives of the persons in the Boat, and several passengers leaped overboard: that the Boat then struck the opposite side of the river and the remainder of the passengers and crew got on shore, he said Master being the last to leave the boat, which again sheered off, completely in flames and sunk about five miles below the last place at which she struck the shore: that the whole of the Cargo, the Boat's books, papers, money were lost with the exception of not more than forty or fifty bales of Cotton thrown overboard, which may possibly be picked up on the river, and eight passengers and one of the firemen are known to be missing: that the Steamer *Baltic* which was below coming up the river, sent a yawl, and rendered great assistance, in saving persons who were floating on Cotton Bales in the river, it being impossible to get on board the *Creole* on account of the fire: that the said appearers and part of the passengers took passage onboard the Steamer *General Gaines* bound for this port, and as soon as they arrived at Bayou Sarah, being the first port after they left the place where the fire occurred, they went on shore to the office of a Notary Public in order to make a protest, but there being no one in said office, and it being impossible for the *"General Gaines"* to wait any longer for them, they were unable to make their protest, therefore they proceeded to this Port, and arrived here at one OClock P. M. this Twenty third day of February instant.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steam Boat *Creole* and her said Cargo, have been occasioned solely by the circumstances herein before stated, and the cause whereof is unknown, every possible

[“Cargo of Steamer *Creole*”- a list of the cargo aboard the ship, refer to document]

[321] precaution having been taken aboard said boat to prevent accidents, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default or negligence of him, the said Master, or of any of his crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Edward H. Pomroy, George Sweeny, Wesley Clark, John W. Johnson, Wade H. Bynum & Aaron Prescott do depose to concur and agree with said Master, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, whereby or by means whereof, the said Boat and Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Boat and Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on his crew.

Thus done and protested in my office, at the said City of New Orleans aforesaid in the presence of W G Latham and Wm H Christy, witnesses who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the caption hereof.

[Signatures] Aaron Prescott, John W Johnson, George Sweeny, Wesley Clarke, W. H. Bynum, Peter Dalman Master, Edward H Pomroy clerk, WG Lathum, Wm H Christy “3”, Wm Christy Not Public

3rd March 1841

Protest of Steam Boat "John Randolph"

State of Louisiana

City of New Orleans

By this Public Instrument of Protest, be it known that on this Third day of March in the year of our Lord, One thousand eight hundred and forty one, before me, William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified,

Personally came and appeared Joseph Miller, master of the Steam Boat called the "John Randolph", and with him also came and appeared John E. Jordan and Stephen L. Rouse, Pilots, Joseph G. Dally, Engineer, Thomas H. Newell, Mate, John Wallace, Second Mate, Sharp D. Baldwin, Clerk, Joseph A. W. Donahoo, Second Clerk, George Smith, Deckhand and Thomas F. Barnett, Newton E. Keenan, and Henry Young Passengers, on board said Steam Boat.

Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said, as follows, to wit:

The said Master, that on the Second day of March instant, at half past seven o'clock P.M. they left this Port, on board said Steam Boat, with an assorted Cargo, destined for the City of Nashville, in the State of Tennessee; - that when they started as aforesaid, the said Boat was staunch, tight, well manned and provided, and in good order and condition for the voyage, the weather being as good as usual: - that they proceeded on, until they arrived at the bend in the River Mississippi, about one mile above the town of Carrollton in this State, when about half past eight o'clock the same evening, whilst the said boat was rounding the point on the left hand going up, a fog suddenly rose and struck the boat on the larboard bow; - that the fog was so dense and so completely enveloped the boat, that it was utterly impossible to perceive in what direction the banks of

the River lay, or in what manner to steer said Boat; that, ~~according to the [illegible] Chart [illegible] right hand shore of the river, distant [illegible] as long as they could [illegible] about sixty hundred yards ahead, when the Engine was stopped and the fog passed off, and [illegible] the force of the current was driving the boat towards the [illegible] of the river, the right hand shore, which was then about two hundred yards distant~~ in a few minutes they discovered the right hand shore of the river, distant [illegible] as long as they could [illegible] about sixty hundred yards ahead, when the Engine was stopped and the fog passed off, and [illegible] the force of the current was driving the boat towards the [illegible] of the river, the right hand shore, which was then about two hundred yards distant; ~~but~~ orders were then given to back ~~the engine~~ her, but in attempting to do so, the great headway which the boat had gained, ~~and the powerful action of the current on the [illegible]~~ prevented the engine from passing the centre, where it stopped, and the boat became, in consequence, perfectly unmanageable: — that before the hands could be mustered to heave the wheels over the centre, the boat drove, bow on, and struck something under water near the right hand shore, raising the bow of the boat at least two feet, when the hung, and in few minutes, afterwards the fog disappeared entirely, when having started the engine and regained control of the boat, she was backed off immediately: that the concussion was not thought to be severe, but on the Mate's repairing to the forecastle for the purpose of ascertaining if any damage had been done, he found about two feet water on the floor, which is three feet above the keel: — that they immediately run the Boat ashore, and got out fastenings as quickly and as strong as possible in order to save her if possible, but notwithstanding the most unremitting exertions, she sunk within fifteen minutes from the time she first struck, and is now completely under water, every thing being lost, with the exception of part of the passenger's baggage, a few packages of the cargo, and from Four to Five Thousand Dollars in specie, which were saved: — and finally that they, the said appellees returned to this port and arrived here this Morning. —

Now therefore because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Steam Boat and her said cargo, or to either, have been occasioned solely by the concur-

-stances hereinbefore stated and set forth, and cannot and ought not to be attributed to any insufficiency or unworthiness of the said Steamboat or default or negligence of him, the said Master, or of any of his officers or crew, he, said Master, now requires me, the said Notary, to make his Protest, and this public act thereof, that the same may serve and be and remain in full force and virtue, as of right shall appertain. ——

—— And the said John E. Jordan, Stephen L. Rouse, Joseph G. Dally, Thomas H. Newell, John Wallace, Sharp D. Baldwin, Joseph A. McDonald, George Smith, Thomas F. Barnett, Newton E. Keenan and Henry Young, do depose to concur and agree with the said Joseph Miller, Master, in every particular contained, stated and expressed in his foregoing deposition, and solemnly declare the same to be correct and true in every respect. —

—— And thereupon the said master doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo, have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Master, or the owners, freighters or shippers of the said Steam Boat and her said Cargo, or any other person or persons interested or concerned in either, already have paid, or may hereafter pay, sustain, incur or be put unto, by, through, or on account of the premises, or for which, the insurer or insurers of the said Steam Boat and her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom, or to their respective contracts or obligations so that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall upon him, the said master, or upon any of his officers or crew. ——

—— Thus done and protested in my office, at—

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the City of New Orleans aforesaid, in the presence of W. G. Luthum and George Rareshide, witnesses of lawful age and domiciliated in said City, who hereunto subscribe their names, together with the said appearers and me, the said Notary, on the day and date set forth in the Caption hereof.
Eighty words erased, null, and forty four interlined, approved before signing.

John Wallace

D Pasdorin

Joseph A.W. Donihoe

Jonas Smith

M G Luthum

G. Rareshide

his
Joseph X Miller
Mark

J. E. Jordan

Stephen L Rowe

Joseph G Dalton

Thomas H Barnett

Hos. H Barnett

N. E. Kunan

F. C. Young

Th. Conity

Not Pub

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3rd March 1841
Protest of
Steam Boat
John Randolph

State of Louisiana
City of New Orleans

[371] By this Public Instrument of Protest, be it remembered that this Third day of March, in the Year of Our Lord, One Thousand Eight hundred and forty one, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared Joseph Miller, master of the Steam Boat called the "*John Randolph*", and with him also came and appeared John E. Jordan and Stephen L. Rouse, Pilots, Joseph G. Dally, Engineer, Thomas H. Newell, Mate, John Wallace, Second Mate, Sharp D. Baldwin, Clerk, Joseph A. W. Donahoo, Second Clerk, George Smith, Deck hand and Thomas J. Barnett, Newton E. Keenan, and Henry Young, Passengers, onboard said Steam Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

The said Master, that on the Second day of March instant, at half past seven o'clock P. M. they left this Port, onboard said Steam Boat, with an assorted Cargo, destined for the City of Nashville, in the State of Tennessee: that when they started as aforesaid, the said Boat was staunch, tight, well manned and provided, and in good order and condition for the voyage, the weather being as good as usual: that they proceeded on until they arrived at the bend in the River Mississippi, about one mile above the town of Carrollton in this State, when about half past eight o'clock the same evening, whilst the said boat was rounding the point on the left hand going up, a fog suddenly rose and struck the boat on the larboard bow: that the fog was so dense and so completely enveloped the boat, that it was utterly impossible to perceive in what direction the banks of

[372] the river lay, or in what manner to steer said Boat: that in a few minutes they discovered the right hand shore of the river, distant, as near as they could judge about two hundred yards a head, when the Engine was stopped and orders were then given to back her, but in attempting to do so, the great headway which the boat had gained, prevented the engine from passing the center, where it stopped, and the boat became in consequence, perfectly unmanageable: that before the hands could be mustered to heave the wheel, over the center, the boat drove, bow on, and struck something under water near the right hand shore, raising the bow of the boat at least two feet, where she hung and in five minutes, afterwards, the fog disappeared entirely, when having started the engine and regained control of the boat, she was backed off immediately: that the concussion was not thought to be severe, but on the Mates repairing to the forecastle for the purpose of ascertaining if any damage had been done, he found about two feet water on the floor which is three feet above the Keel: that they immediately run the Boat ashore, and got out fastenings as quickly and as strong as possible in order to save her if possible, but notwithstanding the most unremitting exertions, she sunk within fifteen minutes from the time she first struck, and is now completely under water, every thing being lost, with the exception of part of the passenger's baggage, a few packages of the cargo, and from Four to Five Thousand Dollars in Specie, which were saved: and finally that they, the said appearers returned to this port, and arrived here this Morning.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steam Boat and her said Cargo, or to either, have been occasioned solely by the circumstances

[73] herein before stated and set forth, and cannot nor ought not to be attributed to any insufficiency or unworthiness of the said Steam boat, or default or negligence of him, the said Master or of any of his officers or crew, he, said Master, now requires me, the said Notary, to make his Protest, and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said John E. Jordan, Stephen L. Rouse, Joseph G. Dally, Thomas H. Newell, John Wallace, Sharp D. Baldwin, Joseph A. W. Donahoo, George Smith, Thomas F. Barnett, Newton E. Keenan and Henry Young, do depose to concur and agree with said Joseph Miller, Master, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Boat and of her Said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or upon any of his officers or crew.

Thus done and protested in my office, at

[374] the said City of New Orleans in the presence of W G Latham and George Raushide, witnesses of lawful age and domiciliaited in said City, who hereunto subscribe their names together with said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] John Wallace, Joseph “X” Miller, S D Baldwin, Joseph A. W. Donihoo, George Smith, J. E. Jordan, Stephen L Rouse, Joseph G Dally, Thomas H. Newell, Thos F. Barnett, W. E. Keenan, H. C. Young, WG Lathum, Geo Raushide, Wm Christy, Not Public

22nd January 1841.

Protest

Schooner "Mary Ellen."

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that on this Twenty second day of January in the year of our Lord, One thousand eight hundred and forty one, before me William Christy a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified, _____ Personally came and appeared James Forsyth Junior Master of the Schooner, called the "Mary Ellen" of Pensacola, in the Territory of Florida, and with him also came and appeared John Griffitt Mate, and John Quin a Seaman, both of said Schooner; _____ Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said as follows, to wit:- _____ The said Master, that on the Third day of January instant, they sailed from Pensacola aforesaid, on board said Schooner, bound for this Port, with a cargo of Lumber:- that when they started as aforesaid, the said Schooner was staunch, tight, well manned and provided, and in good order and condition for the voyage:- that nothing particular occurred on the voyage until the evening of the Fourth of January instant, when a violent gale of wind came on so suddenly that the main and foresails were carried away, before they had time to take them in, and the vessel sprung a leak:- that, in order to save the vessel from sinking in consequence of the leak, they, after consulting together, threw overboard the greater part of the Lumber on deck:- that the gale still continued and on the morning of the Fifth, the vessel being unmanageable for want of sails, she was driven on shore on the North Chandaleer Island, about fifteen miles from the North point:- that whilst driving through the breakers, the boat at the stern of

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the Vessel broke loose and drifted ashore some distance off:- that on the evening of the Fifth, the said Schooner bilged, and was soon filled with water and sand; that all their exertions to save the cargo or any part of the Vessel were unavailing, as the sea continually made breaches over her:- that when they went to look for the boat which had drifted ashore, they found that she had been stolen:- that they remained on the island until the Sixteenth securing the lumber as it drifted ashore, which was very little, the weather being very rough all the time; that on the Sixteenth, they abandoned the vessel and left the island in a Small Schooner, bound for Pass Christian, where they remained until the morning of the Twenty first, when they left on board the Steam Boat Lady of the Lake, and arrived at this Port the same night. _____

_____ Now therefore because of the premises and as all the loss, damage and injury which already have, or may hereafter appear to have happened or accrued to the said Vessel and her said Cargo have been occasioned solely by the circumstances hereinbefore stated and cannot and ought not to be attributed to any insufficiency of the said Vessel, or default or negligence of him the said Master or of any of his crew, he, the said Master now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. _____

_____ And the said John Griffitt, mate, and John Quin, seaman, do depose to concur and agree with the said Master in every particular contained, stated and expressed in his foregoing deposition, and solemnly declare the same to be correct and true in every respect. _____

_____ And thereupon, the said Master doth protest, and I, the said Notary, at his special instance and request, do by these presents, publicly and solemnly protest against the unavoidable circumstances above related, whereby or by means whereof the said Vessel and her said Cargo have been lost, damaged or injured, for all losses, costs

charges, expenses, damage or injury, which the said Master, or the owners, freighters or shippers of the said Vessel and her said Cargo, or any other person or persons interested or concerned in either, already have paid or may hereafter pay, sustain, incur, or be put-unto, by, through, or on account of the premises, or for which the insurer or insurers of the said Vessel or of her said Cargo, is, or are respectively liable to pay, or make contribution or average, according to custom, or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall upon him, the said Master, or on any of his Crew. _____

_____ Thus done and protested in my Office at the City of New Orleans aforesaid, in the presence of William G. Latham and George Rareshide, witnesses of lawful age and domiciliated in this City who hereunto subscribe their names, together with the said appearers and me said Notary, on the day and date set forth in the caption hereof.

Wm Latham

Geo Rareshide

Jas Forsyth Jr
John Griffith
John Lewis

Wm Whiting

Geo Pabs

22nd January 1841 **State of Louisiana**
Protest **City of New Orleans**
Schooner "*Mary Ellen*"

[111] By this Public Instrument of Protest, be it known that on this Twenty Second day of January, in the Year of Our Lord, One Thousand eight hundred and forty one, before me William Christy a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared James Forsyth Junior Master of the Schooner, called the *Mary Ellen* of Pensacola, in the Territory of Florida, and with him also came and appeared John Griffith, Mate, and John Quin, a Seaman, both of said Schooner:

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed as follows, to wit:

The said Master, that on the Third day of January instant, they sailed from Pensacola aforesaid, on board said Schooner, bound for this Port, with a Cargo of Lumber: that when they started as aforesaid, the said Schooner was staunch, tight, well manned and provided, and in good order and condition for the voyage: that nothing particular occurred on the voyage until the evening of the Fourth of January instant, when a violent gale of wind came on so suddenly that the main and foresails were carried away, before they had time to take them in, and the vessel sprung a Leak: that in order to save the vessel from sinking in consequence of the leak, they, after consulting together, threw overboard the greater part of the Lumber on deck: that the gale still continued and on the morning of the Fifth, the vessel being unmanageable for want of sails, she was driven on shore on the North Chandeleur Island, about fifteen miles from North Point: that whilst driving through the breakers, the boat at the stern of

[112] the Vessel broke loose and drifted ashore some distance off: that on the evening of the Fifth, the said Schooner bilged, and was soon filled with water and sand: that all their exertions to save the cargo or any part of the Vessel were unavailing, as the sea continually made breaches over her: that when they went to look for the boat which had drifted ashore, they found that she had been stolen: that they remained on the island until the Sixteenth, securing the lumber as it drifted ashore, which was very little, the weather being very rough all the time: that on the Sixteenth, they abandoned the vessel and left the island in a small Schooner, bound for Pass Christian, where they remained until the morning of the Twenty first, when they left on board the Steam Boat *Lady of the Lake*, and arrived at this Port the same night.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Vessel and her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default or negligence of him, the said Master or of any of his crew, he the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said John Griffith, mate, and John Quin, seaman, do depose to concur and agree with said Master, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon, the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable circumstances above related, whereby or by means whereof, the said Vessel and her said Cargo have been lost or damaged, for all losses, costs,

[113] charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Vessel and her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Vessel or of her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on any of his crew.

Thus done and protested in my office, at the said City of New Orleans aforesaid, in the presence of William G. Latham and George Raushide, witnesses of lawful age and domiciliaited in this City who hereunto subscribe their names, together with the said appearers and me, Notary, on the day and date set forth in the caption hereof.

[Signatures] WG Lathum, Geo Raushide, Jas. Forsyth Jr, John Griffith, John Quinn, Wm Christy, Not Public

14th April 1841

Protest

by

Isaac Davis

Master of Steam Boat

"Walk in the Water".

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that on this Fourteenth day of April, in the year of our Lord, One thousand eight hundred and forty one, before me, William Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified Personally came and appeared Isaac Davis, Master of the Steam Boat "Walk in the Water", and with him also came and appeared Elisha Cary, John Rose and Alfred Doherty hands engaged on board the Keel Boat Number "Four", — Which said appearers, after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said as follows, to wit: —

The said Isaac Davis, that on the Thirtieth day of March last (1841) the said Steam Boat was lying at South Florence on the Tennessee River in the State of Alabama taking in Cargo for this Port: — that the said Boat being unable to get up to the usual landing place the said Keel Boat Number Four was engaged to bring Cotton from said Landing place to where the said Steam Boat lay, being about three hundred yards distant, below a bridge: — that whilst the said Keel Boat was lying outside of said Steam Boat, the hands above named were employed in getting out the Cotton she had on board and putting it on board said Steam Boat: — that after unloading about thirty bales, the said hands kept on board said Steam Boat to take their supper, leaving every thing safe behind them, the said Keel boat being in good order, not having more water in her than is usual for Keel boats, and having no appearance of a leak: — that they had not been on board said Steam Boat more than ten minutes, when the said John Rose remarked that the Keel boat was sinking, upon which they immediately jumped on board of her, with ten or fifteen of the Steam Boat hands, and used every exertion in their power to get the cotton out of her: that they were not able to save more than a few bales, and get them on board the Steam Boat, when the Keel boat

sunk :- that the cotton on board said Keel Boat was consigned by Kirkman & Andrews of Florence to Kirkman Abernathy & Hanna of New Orleans, and consisted of Ninety five Bales, Seventeen of which are totally lost :- and the said appearers moreover declared that the said Keel Boat was staunch, tight and in good order when they commenced using her to bring Cargo to the said Steam Boat as above mentioned :- and finally that after making a protest against said accident before Geo. W. Sneed, a Notary Public at Florence, on the 31st March 1841, they proceeded to this Port on board said Steam Boat and arrived here at Nine o'clock on the evening of the Ninth April instant. _____

_____ Now therefore because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened to the said Keel Boat and her said loading, have been occasioned solely by the circumstances hereinbefore stated, and cannot nor ought not to be attributed to any insufficiency of the said Keel Boat, or default or negligence of him, the said Master or of any of said appearers, or any other person or persons engaged in unloading said Boat, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. _____

_____ And the said Elisha Carey, John Rose and Alfred Doherty do depose to concur and agree with the said Isaac Davis, in every particular, contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be correct and true in every respect. _____

_____ And thereupon the said Isaac Davis doth protest and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with, as aforesaid, whereby or by means whereof the said Keel Boat and her said loading, have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury which the said Master, or the owners, freighters or shippers of the said Keel Boat or her said loading, or any other person or persons interested or concerned in either, already have paid or may hereafter pay, sustain or be put into, by, through, or on account of the

premises; or for which the insurer or insurers of the said Keelboat or her said loading, is or are respectively liable to pay or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of such losses and expenses already incurred or hereafter to be incurred, do fall upon him, the said Isaac Davis or on any of the persons under his Command. Thus done and protested at my Office in the said City of New Orleans, in the presence of W. S. Lathom and George Ranshide witnesses, of lawful age and domiciliated in said City, who hereunto sign their names, with ~~the said Isaac Davis and~~ me, said Notary, the said appearers being unable to write, make their usual marks to these presents, after the same had been read and explained to them by me, said Notary, on the day and date set forth in the caption hereof. (Five words erased, mark, approved before signing.)

his
Isaac + Davis
mark

his
Elisha + Cary
mark

W. S. Lathom

his
John + Rose
mark

Geo Ranshide

his
Alfred + Doherty
mark

Wm Omit
Not. Pub.

And again, to wit, on this Nineteenth day of April, one thousand eight hundred and forty one, before me, said Notary, personally came and appeared the said Elisha Cary, John Rose, and Alfred Doherty, and also Isaac Davis, master and Edward Davis, Engineer of the said Steam Boat Wack in the Water, who being duly sworn, did depose and say, that in addition to the facts stated in the foregoing protest, they desire to state the following circumstances, to wit: —— The three first-named, that at the time and previous to their commencing to discharge the Cotton from said Keel Boat No 4 into the said Steam Boat, Wack in the Water, there was a considerable wind blowing which caused the River to become exceedingly rough, and that the white caps were as high as they ever witnessed in the Tennessee River; that the said Keelboat was lying alongside of and well fastened to said

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Steam Boat as is usual, and could not have been placed or moored in any other position which would have been more safe, and that she was being discharged in the customary manner: — that they have been well acquainted with the Tennessee River, and engaged in loading and unloading Keelboats plying between Florence and Waterloo, and engaged in the business of lightering Cotton and other articles of Merchandize over Colvert Shoals for several years past: — that they firmly believe that the accident which happened to said Keelboat as hereinbefore stated, was occasioned by the Swells and White caps of said River; that after taking out some of the Cotton out of said Keel boat after she sunk, she rose to the surface of the water, and they found that her butts and plank had spunng to such an extent as to admit their hands into the opening, which, as before stated was caused by the aforesaid Swells and white caps. _____

_____ And the said Isaac Davis and Edward Davis deposed, that they have been well acquainted with the Tennessee River and its trade for several years, and that they do not recollect ever seeing the River so rough as it was at the time the said Keel Boat was being discharged of her Cargo of Cotton into the said Steam Boat, and that they verily believe that the White caps and Swells were the cause of the said Keelboat's sinking. _____

_____ Thus done and passed in my Office at the said City of New Orleans, in the presence of W. G. Latham and George Ranshide, witnesses, who hereunto sign their names, with the said Edward Davis and me, said Notary, the other appearers not being able to write, make their usual marks to these presents, after the same had been read and explained to them by me, the Notary, on the day and date set forth in the Caption hereof. (Seven words interlined) appearers

Edward Davis

W. Latham

Elisha his + mark Cary

Geo Ranshide

John his + mark Rose

Alfred his + mark Doherty

Isaac his + mark Davis

N. Amiel Not. Pub.

14th April 1841
Protest by
Isaac Davis
Master of Steam Boat
"Walk in the Water"

State of Louisiana
City of New Orleans

[591] By this Public Instrument of Protest, be it known that this Fourteenth day of April, in the Year of Our Lord, One Thousand Eight hundred and forty one, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified. Personally came and appeared Isaac Davis, Master of the Steam Boat "*Walk in the Water"*, and with him also came and appeared Elisha Cary, John Rose and Alfred Doherty, hands engaged onboard the Keel Boat Number "Four".

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

The said Isaac Davis, that on the Thirtieth day of March last (1841) the said Steam Boat was lying at South Florence on the Tennessee River in the State of Alabama taking in Cargo for this Port: that the said Boat being unable to get up to the usual landing place, the said Keel Boat Number Four was engaged to bring Cotton from said Landing place to where the said Steam Boat lay, being about three hundred yards distant, below a bridge: that whilst the said Keel Boat was lying outside of said Steam Boat, the hands above named were employed in getting out the Cotton she had onboard and putting it onboard said Steam Boat: that after unloading about thirty bales, the said hands stept [sic] onboard said Steam Boat to take their supper, leaving everything safe behind them, the said Keel boat being in good order, not having more water in her than is usual for keel boats, and having no appearance of a Leak: that they had not been on board said Steam Boat more than ten minutes, when the said John Rose remarked that the Keel boat was sinking upon which they immediately jumped on board of her, with ten or fifteen of the Steam Boat hands, and used every exertion in their power to get the cotton out of her: that they were not able to save more than a few bales and get them onboard the Steam Boat, when the Keel boat

[592] sunk: that the cotton on board said Keel Boat was consigned by Kirkman & Andrews of Florence to Kirkman Abernathy & Hanna of New Orleans and consisted of Ninety five Bales, Seventeen of which are totally lost: and the said appearers moreover declared that the said Keel Boat was staunch, tight and in good order when they commenced using her to bring Cargo to the said Steam Boat as above mentioned: and finally that after making a protest against said accident before George W. Sneed, a Notary Public at Florence, on the 31st March 1841, they proceeded to this Port onboard said Steam Boat and arrived here at Nine o'clock on the evening of the Ninth April instant.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened to the said Keel Boat and her said loading, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Keel Boat or default or negligence of him, the said Master, or of any of said appearers, or any other person or persons engaged in unloading said Boat, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Elisha Carey, John Rose and Alfred Doherty do depose to concur and agree with said Isaac Davis, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And whereupon the said Isaac Davis doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid, whereby or by means whereof, the said Keel Boat and her said loading, have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Keel or her said loading, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the

[593] premises, or for which the insurer or insurers after said Keel boat or of her said loading, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Isaac Davis or on any of the persons under his Command.

Thus done and protested in my office, at the said City of New Orleans in the presence of W. G. Latham and George Raushide, witnesses of lawful age and domiciliaited in said City, who hereunto sign their names with me, said Notary, the said appearers being unable to write, make their usual marks to these presents, after the same has been read and explained to them by me, said Notary, on the day and date set forth in the Caption hereof.

[signatures] Isaac "X" Davis, Elisha "X" Cary, John "X" Rose, Alfred "X" Doherty, WG Lathum, Geo Raushide, Wm Christy, Not Public

And again, to wit: on this Nineteenth day of April, one thousand eight hundred and forty one, before me, said Notary, personally came and appeared the said Elisha Cary, John Rose, and Alfred Doherty, and also Isaac Davis, Master, and Edward Davis, Engineer of the said Steam Boat *Walk in the Water*, who being duly sworn, did depose and say, that in addition to the facts stated in the foregoing protest, they desire to state the following circumstances, to wit:

The three first named, that at the time and previous to their commencing to discharge the Cotton from said Keel Boat No 4 onto the said Steam Boat, *Walk in the Water*, there was a considerable wind blowing which caused the river to become exceedingly rough, and that the white caps were as high as they ever witnessed in the Tennessee River, that the said Keel boat was lying alongside of and well fastened to said

[594] Steam Boat as is usual, and could not have been placed or moored in any other position which would have been more safe, and that she was being discharged in the customary manner: that they have been well acquainted with the Tennessee River, and engaged in loading and unloading Keel boats plying between Florence and Waterloo, and engaged in the business of lightering Cotton and other articles of Merchandize [sic] over Colvert Shoals for several years past: that they firmly believe that the accident which happened to said Keel boat as hereinbefore stated, was occasioned by the Swells and White caps of said River: that after taking out some of the Cotton out of said Keel Boat after she sunk, she rose to the surface of the water, and they found that her butts and plank had sprung to such an extent as to admit their hands into the opening, which, as before stated, was caused by the aforesaid swells and white caps.

And the said Isaac Davis and Edward Davis, deposed that they have been well acquainted with the Tennessee River and its trade for several years, and that they do not recollect ever seeing the River so rough as it was at the time of the said Keel Boat was being discharged of her Cargo of Cotton into the said Steam Boat, and that they verily believe that the White caps and Swells were the cause of the said Keel boat's sinking.

Thus done and passed in my office, at the said City of New Orleans in the presence of W. G. Latham and George Raushide, witnesses, who hereunto sign their names with the said Edward

Davis and me, said Notary, the other appearers not being able to write, make their usual marks to these presents, after the same has been read and explained to them by me, said Notary, on the day and date set forth in the Caption hereof.

[Signatures] Edward Davis, Elisha “X” Cary, John “X” Rose, Alfred “X” Doherty, Isaac “X” Davis, WG Lathum, Geo Raushide, Wm Christy, Not Public

Decr. 1842

Protest

Boat Nashville.

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest, be it known that on this Seventeenth day of December in the year of our Lord, One Thousand eight hundred and forty two, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified, personally came and appeared Henry Dumenil, Clerk of the Steam Boat "Nashville", and with him also came and appeared Robert Kilady, the Pilot, Andrew Doyle, the Engineer, Joseph Cossart, Watchman, Peyton Watts, the Carpenter, and Alfred Ferrand and William Westbary Passengers on board said Steam Boat.

Which said appearers after having been duly and solemnly sworn by me, said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said, as follows, to wit.

The said Henry Dumenil, that on the Eleventh day of December instant, they left Pargoud's Landing, a few miles above Monroe, on the Ouachita River in this State, on board said Steam Boat, bound for this Port with a cargo of Seven hundred and ninety two Bales of Cotton: but when they started as aforesaid, the said Boat was staunch tight, well manned and provided and in good order and condition for the voyage: that nothing particular occurred until about nine o'Clock on the night of the Thirteenth inst. during the watch of George H. Caldwell, master of said Boat, and when she was under headway, with her regular Pilot at the Wheel, and in the Ouachita River about Thirty five miles above the Town of Harrisonburg, she struck a snag concealed under water, on her larboard bow, near the ash pan: that as soon as she struck the said Joseph Cossard and Peyton Watts went into the hold and saw the water rushing through the hole made by the snag so rapidly that it was impossible to stop it: that on their return to deck to inform the Master they found that by his order, the boat was being rounded to shore, but in ten minutes after she struck the snag, she sunk and her bow touched the ground: that before she sunk her deck load was thrown off and every possible exertion made by all hands to save her

but she sunk as before stated before any other portion of her cargo could be got out: that they continued working at her for four or five hours, the water rising very fast until her stern sunk so much that they could work no longer with advantage: that on the Fourteenth they went before William M. Few, a Notary Public at Harrisonburg aforesaid being the nearest place to the accident, and made a protest with the master against the loss of said Boat that the said appearers came to this Port leaving the Master and Mate of said Boat in charge of her. _____

_____ Now therefore because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Boat and her said Cargo, have been occasioned solely by the circumstances hereinbefore stated and cannot and ought not to be attributed to any insufficiency of the said Steam Boat, or default or negligence of the said Master or of any of his Officers or crew, he the said Henry Dumenil, Clerk, in the absence of the said Master now requires me, the said Notary to make his protest and this public act thereof that the same may serve and be and remain in full force and virtue as of right shall appertain. _____ _____ _____

_____ And the said Robert Neary, Andrew Doyle Joseph Cossart, Peyton Watts, Alfred Ferrand and William Westbury, do depose to concur and agree with the said Clerk in every particular contained, stated and expressed in his foregoing deposition and solemnly declare the same to be correct and true in every respect. _____

_____ And thereupon the said Clerk doth protest and the said Notary at his special instance and request do by these presents publicly and solemnly protest against the unavoidable accident had and met with as aforesaid occasioned as aforesaid, whereby or by means whereof the said Steam Boat and her said Cargo have been lost damaged or injured for all losses, costs, charges expenses damage or injury which the said Master, or the owners freighters or Shippers of the said Steam Boat and her Cargo or any other person or persons interested or concerned in the premises already have paid or may hereafter pay, sustain or be put unto, by, through, or on account of the premises or for which the insurer or insurers of the said Steam Boat and her said Cargo is or are respectively liable to pay or

make contribution, or average, according to custom of the new respective contracts or obligations, so that no part of such losses and expenses already incurred or to be hereafter incurred, do fall upon the said Master, or on any of his Officers or Crew. _____

_____ Thus done and protested in my Office at the said City of New Orleans in the presence of W. G. Latham and H. Raveslide, witnesses, who hereunto sign their names with the said appearers and me, said Notary, on the day and date set forth in the Caption hereof. _____

J. Coppart
Peyton Watts
W. G. Latham
H. Raveslide
H. A. Quemeil
Wm Kesterson
Robert Blady
Andrew Doyle
Wm Christy
Wm Park

17th Dec. 1842
Protest
Steam Boat
"Nashville"

State of Louisiana
City of New Orleans

[845] By this Public Instrument of Protest, be it known that this Seventeenth day of December, in the Year of Our Lord, One Thousand Eight hundred and forty two, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, duly commissioned and qualified, personally came and appeared Henry Dumenil, clerk of the Steam Boat *"Nashville"*, and with him also came and appeared Robert Klady, the Pilot, Andrew Doyle, the Engineer, Joseph Cossart, Watchman, Peyton Watts, the Carpenter, and Alfred Ferrand and William Westbary, Passengers on board said Steam Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily depose and said, as follows, to wit:

The said Henry Dumenil, that on the Eleventh day of December instant, they left Fargoad's Landing, a few miles above Monroe, on the Ouachita River in this State, on board said Steam Boat, bound for this Port with a cargo of Seven hundred and ninety two Bales of Cotton: that when they started as aforesaid, the said Boat was staunch, tight, well manned and provided and in good order and condition for the voyage: that nothing particular occurred until about nine o'clock on the night of the Thirteenth instant during the watch of George H. Caldwell, Master of said Boat, and when she was under headway with her regular Pilot at the Wheel, and in the Ouachita River about Thirty five miles above the Town of Harrisonburg, She struck a snag concealed under water on her larboard bow, near the Ash pan: that as soon as she struck, the said Joseph Cossart and Peyton Watts went into the hold and saw the water rushing through the hole made by the snag so rapidly that it was impossible to stop it: that on their return to deck to inform the Master they found that by his order the boat was being rounded to Shore, but in ten minutes after she struck the snag, she sunk and her bow touched the ground, that before she sunk her deck load was thrown off, and every possible exertion made by all hands to save her

[846] but she sunk as before stated before any other portion of her cargo could be got out: that they continued working at her for four or five hours, the water rising very fast, until her stern sunk so much that they could work no longer with advantage: that on the Fourteenth they went before William M. Few, a Notary Public at Harrisonburg aforesaid being the nearest place to the accident and made a protest with the master against the loss of said Boat that the said appearers came to this Port leaving the Master and Mate of said Boat in charge of her.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Boat and her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat or default or negligence of the said Master or of any of his officers or crew, he the said Henry Dumenil, Clerk, in the absence of the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Robert Klady, Andrew Doyle, Joseph Cossart, Peyton Watts, Alfred Ferrand, and William Westbary, do depose to concur and agree with said Clerk, in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And thereupon the said Clerk doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident

had and met with as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Steam Boat and of her Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat or her said Cargo, is or are respectively liable to pay, or

[847] make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master or on any of his officers and crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and H Raushide, witnesses, who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the Caption hereof

[signatures] J Cossart, Peyton Watts, H. A. Dumenil, Wm Westberry, Robert Klady, Andrew Doyle, WG Lathum, H. Raushide, Wm Christy Not Public

2nd January 1843

Protest

Flat Boat "Henry Clay"

State of Louisiana
City of New Orleans

By this Public Instrument of Protest be it known that on this Second day of January in the year of our Lord One thousand eight hundred and forty three, before me William Christy, a Notary Public in and for the City and Parish of New Orleans aforesaid, duly commissioned and qualified, personally came and appeared Caspar B. Core, Master of the Flat Boat "Henry Clay" and with him also came and appeared John Mc Gedigan, William McCawley, Thomas Van my, James H. Sangtree and Thomas Douglass, hands on board said Flat Boat, and Lewis Morrison, the watchman on board the Flat Boat No 2, in company with the Henry Clay.

Which said appearers, after having been duly and solemnly sworn upon the Holy Evangelists, by me, said Notary, did voluntarily depose and say, as follows, to wit:

The said Master, that on the Tenth of December last past they left Madison, in the State of Indiana, on board said Flat Boat, laden with 139 Pieces of Flax seed and 844, Barrels of Flour, bound for this Port: that when they started as aforesaid, the said Flat Boat was Staunch, tight, well manned and provided, and in good order and condition for the Voyage: that nothing particular occurred until they arrived at about eight miles above Bonnet Carré Church, at about half past ten o'clock on the night of the Twenty eighth of December, there being a slight fog at the time which a few minutes previous had been so dense that they could not see either shore of the river, they heard the noise of a Steam Boat coming up which seemed to be about a quarter of a Mile off, when a Light for a Signal was hoisted on the deck of the flat Boat as soon as is usual in such cases: that the said flat Boat was as near as possible in the middle of the river, and they saw the said Steam Boat when about One hundred yards distant crossing the river: that for One and a half or two minutes, the Steam Boat ran directly for the Flat Boat's light, when the said Master called to the man who had it to hold it up higher, which he did: that it then appeared as if the Steam Boat was going to the left of the Flat Boat, but on approaching within ten yards, the Steam

6)

Boat was brought to a very heavy sheer to go to the right of the Flat Boat, and run straight across the Bow of the Flat Boat, causing her to sink in one minute and knocking out about 115 barrels of Flour and 10 Tierces of Flax seed into the river: - that the said Steam Boat was found to be the "Henry Clay": - that the said Master then signalled two other Flat Boats which were in company with him but a little in advance, and they rowed up stream to the sunk boat which was up to the roof in water, and were lashed to her: - that they proceeded thus lashed together about four miles down the river, and succeeded with skiffs in picking up all the cargo in the river, except 10 Tierces of Flax Seed and 76 Barrels of Flour: - that they then landed the Boats, and took out the Cargo of the Henry Clay and placed it on the Bank of the River, which occupied them until noon the next day: - that the said Master then chartered the Steam Boat Pioneer, which took the said Cargo on board on the Thirty first of December and brought it to this port yesterday, the First day of January instant. _____

_____ Now therefore, because of the premises and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the circumstances herein before stated, and cannot and ought not to be attributed to any insufficiency of the said Flat Boat, or default or neglect of him, the said Master, or of any of his crew, he the said Master, now requires me, the said Notary, to make his protest, and his public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. _____

_____ And the said John McGedigan, William McCawley, Thomas Vanmy, James A. Langlee and Thomas Douglas hands on board said Flat Boat Henry Clay, do depose to concur and agree with the said Master in every particular contained, stated and expressed in his foregoing deposition and solemnly declare the same to be correct and true in every respect. _____

_____ And the said Jean Thomsen, watchman on board Flat Boat No 2, deposes to agree with the said Master in his said Deposition so far as relates to the distance and situation of the two Boats when the collision took place and to the burning of the signal lights on the flat Boat.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request, do, by these presents, publicly and solemnly protest against the collision aforesaid, whereby or by means whereof the said Flat Boat and her said Cargo have been lost, damaged or injured, for all losses, costs, charges, expenses, damage or injury, which the said Master, or the owners, freighters or shippers of the said Flat Boat and her said Cargo, or any other person or persons interested or concerned in either, already have paid or may hereafter pay, sustain, incur or be put unto, by, through, or on account of the premises, or for which the insured or insurers of the said Flat Boat and her said Cargo, is or are respectively liable to pay or to make contribution or average, according to custom or to their respective contracts or obligations, so that no part of such losses and expenses already incurred or hereafter to be incurred do fall upon him, the said Master, or on any of his Crew.

Thus done and protested in my Office at the said City of New Orleans in the presence of W. G. Latham and H. Ranestude, witnesses of lawful age and domiciliated in said City, who hereunto sign their names with the said appearers and me, said Notary, on the day and date set forth in the Caption hereof.

C. G. Core
Sst. Langton
William Walker
Thomas Lavery
Thomas Douglass
Lewis Morrison
John his + mark McGeagan

W. G. Latham Jr.
H. Ranestude

Wm Smith
Ist Pilot

2nd January 1843 **State of Louisiana**
Protest **City of New Orleans**
Flat Boat
"*Henry Clay*"

[5] By this Public Instrument of Protest, be it known that this Second day of January, in the Year of Our Lord, One Thousand Eight hundred and forty three, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, aforesaid, duly commissioned and qualified, personally came and appeared Casper G. Core, Master of the Flat Boat "*Henry Clay*" and with him also came and appeared John McGedigan, William McCawley, Thomas Vanmy, James G. Langtree, and Thomas Douglass, hands on board said Flat Boat, and Lewis Morrison, the watchman on board the Flat Boat No 2, in company with the *Henry Clay*.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and say, as follows, to wit:

The said Master, that on the Tenth of December last past, they left Madison, in the State of Indiana, on board said Flat Boat, laden with 139 Tierces of Flax seed and 844 Barrels of Flour, bound for this Port: that when they started as aforesaid, the said Flat Boat was staunch, tight, well manned and provided, and in good order and condition for the Voyage: that nothing particular occurred until they arrived at about eight miles above Bonnet Carre' Church, at about half past ten oClock on the night of the Twenty eighth of December, there being a slight fog at the time which a few minutes previous had been so dense that they could not see either shore of the river, they heard the noise of a Steam Boat coming up which seemed to be about a quarter of a Mile off, when a Light for a Signal was hoisted on the deck of the flat Boat as soon as is usual in such cases: that the said flat Boat was as near as possible in the middle of the river, and they saw the said Steam Boat when about One hundred yard distant crossing the river: that for One and a half or two minutes, the Steam Boat run directly for the Flat Boat's light, when the said Master called to the Man who had to hold it up higher, which he did: that it then appeared as if the Steam Boat was going to the left of the Flat Boat, but on approaching within ten yards, the Steam

[6] Boat was brought to a very heavy sheer to go to the right of the Flat Boat, and run straight across the Bow of the flat Boat, causing her to sink in one minute and knocking out about 115 barrels of Flour and 10 Tierces of Flax seed into the river: that the said Steam Boat was found to be the "*Henry Clay*": that the said Master then signalled [sic] two other Flat Boats which were in company with her but a little in advance, and they rowed up stream to the sunk boat which was up to the roof in water, and were lashed to her: that they proceeded this lashed together about four miles down the river, and succeeded with skiffs in picking up all the cargo in the river, except 10 Tierces of Flax Seed and 76 Barrels of Flour: that they then landed the Boats, and took out the Cargo of the *Henry Clay* and placed it on the Bank of the River, which occupied them until noon the next day: that the said Master then chartered the Steam Boat *Pioneer*, which took the said Cargo on board on the Thirty first of December and brought it to this port yesterday, the First day of January instant.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Flat Boat and her said Cargo, have been occasioned solely by the circumstances herein before stated and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default or neglect of him, the said Master, or of any of his crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said John McGedigan, William McCawley, Thomas Vanmy, James H. Langtree, and Thomas Douglas, hands on board said Flat Boat *Henry Clay* do depose to concur and agree with said Master in every particular contained, stated and expressed in the foregoing deposition, and solemnly declare the same to be true in every respect.

And the said Lewis Morrison, watchman, on board Flat Boat No 2, deposes to agree with the said Master in his said Deposition so far as related to the distance and situation of the two Boats when the Collision took place and to the hoisting of the signal light on the flat Boat.

[7] And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the collision aforesaid, whereby by means whereof, the said Flat Boat and said Cargo have been lost or damaged, for all losses, costs, charges, expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Flat Boat and of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Flat Boat or her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall upon him, the said Master or on any of his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of W G Latham and H. Raushide, witnesses of lawful age and domiciliaited in said City, who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] CG Core, Jas G. Langtree, William McCawley, Thomas Vanmy, Thomas Douglass, Lewis Morrison, John “X” McGedigan, WG Lathum, H. Raushide, Wm Christy Not Public

(575)

11 May 1846

Protest

Steamer "Rob Roy"

State of Louisiana.

City of New Orleans.

By this Public Instrument of Protest be it known that on this Eleventh day of May in the year of our Lord One thousand eight hundred and forty six, before me William Christy a Notary Public in and for the City and Parish of New Orleans State of Louisiana aforesaid, duly commissioned and qualified, ——

—— Personally came and appeared John Haydon, Francis Morrissy, ~~Robert Scott~~, ~~Henry Rice~~ and Parker C. Lyon, hands employed on board the Steamboat called the Rob Roy, lately under the command of John P. Hart, and Richard Simms, watchman of said boat: Which said appearers, after having been duly and solemnly sworn by me said Notary, upon the Holy Evangelists of Almighty God, voluntarily deposed and said, as follows, to wit: ——

—— That between Ten and Eleven o'clock on the night of the Ninth of April instant, while the said Steamboat was lying at the Girod Street Wharf in the Second Municipality of this City, a fire broke out right aft both above and below, and raged with such violence that in two minutes from the time the said deponents first discovered it, the whole of the hurricane deck was in a blaze: — that immediately on the discovery of the fire, every exertion was used by the said deponents and others of the crew who were on board to extinguish the flames, by throwing water on, but without success: — that the officers of the Steamboat James L. Day lying alongside, cut the Rob Roy loose and she floated down the river a distance of four miles and was got to shore on the opposite side of the river in three feet water, but capsized into forty feet water and sunk: — that at the time the said fire broke out there was no cargo on board, and no fire under the boilers, the watchman was on duty and every precaution had been taken against accidents for the night, that are usually taken:

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and finally that they, the said appearers, are entirely ignorant of the cause of the said fire. ——

—— Now therefore because of the premises, and as the loss of the said Steam Boat has been occasioned solely by the circumstances above stated, and cannot and ought not to be attributed to any deficiency of the said Boat or neglect or default of any of her officers or crew, they, the said appearers, now require me, the said Notary, to make their protest and this Public act thereof that the same may serve and be and remain in full force and virtue as right shall appertain. ——

—— And thereupon the said appearers do protest and I, the said Notary, at their special instance and request do by these presents, publicly and solemnly protest against the fire aforesaid, whereby or by means whereof the said Steam Boat has been destroyed and lost, for all losses, costs, charges, expenses, damage or injury which her said Commander, or her owners, or any other person or persons interested or concerned, already have paid or may hereafter pay, sustain, incur or be put unto by, through or on account of the premises, or for which the insurer or insurers of the said Steam Boat is or are respectively liable to pay or make contribution, according to custom or to their respective contracts or obligations, so that no part of such losses and expenses already incurred or hereafter to be incurred, do fall upon the officers or crew of said Steam Boat. ——

—— Thus done and protested in my Office at the said City of New Orleans, in the presence of William G. Latham and Henry Raneshide, witnesses, who hereunto sign their names with the said appearers and me said Notary, on the day and date set forth in the Caption hereof. ——

W. G. Latham
H. Raneshide

Parker C. Lyon Jr.
Richard Simms
Spencer Montgomery
John Hayden

11th May 1846 **State of Louisiana**
Protest **City of New Orleans**
Steamer
"Rob Roy"

[595] By this Public Instrument of Protest, be it known that this Eleventh day of May, in the Year of Our Lord, One Thousand Eight hundred and forty six, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared John Haydon, Francis Morrissy, and Parker C. Lyon, hands employed on board the Steam Boat called the *Rob Roy*, partially under the command of John P. Hart, and Richard Simms, watchman of said boat: Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

That between Ten and Eleven o'clock on the night of the Ninth of April instant, while the said Steam Boat was lying at the Girod Street Wharf in the Second Municipality of this City, a fire broke out right aft both above and below and raged with such violence that in two minutes from the time the said deponents first discovered it the whole of the hurricane deck was in a blaze: that immediately on the discovery of the fire, every exertion was used by the said deponents and others of the crew who were on board to extinguish the flames, by throwing water on, but without success: that the officer of the Steam Boat *James L. Day* lying alongside, cut the *Rob Roy* loose and she floated down the river a distance of four miles and was got to shore on the opposite side of the river in three feet water but capsized into forty feet water and sunk: that at the time the said fire broke out there was no cargo on board, and no fire under the boilers, the watchman was on duty, and every precaution had been taken against accidents for the night, that are usually taken

[596] and finally that they, the said appearers, are entirely ignorant of the cause of the said fire.

Now therefore, because of the premises, and as all the loss of the said Steam Boat has been occasioned solely by the circumstances above stated and cannot nor ought not to be attributed to any deficiency of the said Boat or neglect or default of any of her officers or crew, they, the said appearers, now require me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And thereupon the said appearers do protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the fire aforesaid, whereby or by means whereof, the said Steam Boat has been destroyed and lost for all losses, costs, charges, expenses, damage and injury, which the said Commander, or her owners, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall upon the officers or crew of said Steam Boat.

Thus done and protested in my office, at the said City of New Orleans in the presence of William G. Latham and Henry Raushide, witnesses, who hereunto sign their names with said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] Parker C. Lyon, Richard Simms, Francis Morrissy, John Haydon, WG Lathum, H. Raushide

11 Janu 1848.

Protest.

Sharp D. Baldwin,
— Master of —
St. Seventy Six.

State of Louisiana
City of New Orleans

By this Public Instrument of Protest, be it known that on this Eleventh day of January, in the year of Our Lord, One thousand eight hundred and forty eight, before me William Christy a Notary Public in and for the City and Parish of New Orleans State of Louisiana, aforesaid, duly Commissioned and qualified.

Personally Came and appeared Sharp D. Baldwin Master and part Owner of the Steam Boat Seventy Six of about One hundred & ninety one tons burthen, and With him also Came and appeared, Joseph Pancoast the Mate, Thomas Hill, Pilot, William J. West Clerk Alexander Keefer Engineer of said Steam Boat and Seth W. Daniels and Edward M. Daniels also part owners of the said Steam Boat.

Which said appearers after having been duly and solemnly Sworn by me, said Notary, on the Holy Evangelists of Almighty God, Voluntarily deposed and said as follows, to wit:-

The said Master that, yesterday about Six O'Clock, P.M. they left the Steam Boat landing of this City, on board said Steam Boat, bound for Cincinnati With an assorted Cargo: that when they started as aforesaid, the said Boat was tight, staunch, well manned and provided, and in good order and Condition for the trip: that they proceeded a few miles above this City, to a point Called Free Port in the Parish of Jefferson, where they landed, and took in a small quantity of Molasses, sugar and other Merchandize to complete their Cargo, that having done so, they put out in the usual Way to proceed on their Voyage, that before they had got fairly commencing they discovered the whole of one side of the Cabin of said Boat abaft of the wheels to be on fire, they immediately resorted to every possible means to extinguish the fire, but soon found it impossible to do so, the flames increasing despite throughout the Boat which owing to the Confusion and attention to the fire Commenced to float down the river, the

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in all pay for minutes they had all hopes of being able to extinguish the flames and by an effort of the Engine succeeded in running the boat a short distance below where the fire broke out, when a short distance of the flames was so rapid it became necessary for every one on board to abandon said Boat as soon as possible to save their lives, which they did about eight O'clock P.M.: - That very soon after they landed a fire Engine came to their assistance from the City of Lafayette, and played upon the flames for some time, but with no success, and the Boat with every thing on board was soon consumed down to the Waters edge: and that they can form no idea how the fire originated unless it proceeded by some accidental cause from the iron work, which was in that part of the Boat first seen on fire.

Now therefore because of the premises, and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Steam Boat, and her said Cargo, have been occasioned solely by the circumstances hereinbefore stated, and cannot and ought not to be attributed to any insufficiency of the said Boat or negligence or default of him, the said Master, or of any of his Officers or Crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

Thus the said Joseph Pancoast, Thomas Smith, William G. West, Alexander Keefer, Seth W. Daniels and Edward M. Daniels do depose to concur and agree with the said Master in every particular as to facts stated and expressed in the foregoing deposition, and solemnly declare the same to be correct and true in every respect.

And thereupon the said Master doth further and I, the said Notary, at his special instance and request, do by these presents publicly and solemnly protest against the unavoidable accident, loss and damage occasioned as aforesaid, solely by the said Steam Boat and her said cargo have been totally lost, for all losses, costs, charges

penses, damage or injury which the said Master or the owners, freighters or Shippers of the said Steam Boat and her said Cargo, or any other person or persons interested or concerned in either, already have paid or may hereafter pay, sustain, incur, or be put unto, by, through, or on account of the premises or for which the insurer or insurers of the said Steam Boat and said Cargo, is or are respectively liable to pay or make Contribution or Average According to Custom or to their respective Contracts or obligations, so that no part of such losses and expenses already incurred or hereafter to be incurred do fall upon him, the said Master, or on any of his Officers or Crew.

Thus done and protested in my Office at the said City of New Orleans, in the presence of Henry Ranchine and David A. Pickel, Witnesses of lawful age, and domiciliated in said City, who hereunto subscribe their names with the said appearers and me, said Notary, on the day and date set forth in the Caption hereof.

S D Baldwin

H. Ranchine

D. A. Pickel

S Powers

Thomas Sittell

Wm G West

Roy R Cotten

Seth W Daniel

Edward M. Daniel

T. Christy

Jos Pub

11 Jany 1848
Protest
Sharp D. Baldwin
St. *Seventy Six*

State of Louisiana
City of New Orleans

[25] By this Public Instrument of Protest, be it known that this Eleventh day of January in the Year of Our Lord, One Thousand Eight hundred and forty eight, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared Sharp D. Baldwin, Master, and part Owner of the Steam Boat, *"Seventy Six"* of about One hundred & ninety one tons berthen, and With him, also Came and appeared, Joseph Pomerst, the Mate, Thomas Littell, Pilot, William G West and Alexander Keefer, Engineer of said Steam Boat, and Seth W. Daniels and Edward W. Daniels also part owners of the said Steam Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

The said Master that, yesterday about Six O'Clock P. M. they left the Steam Boat landing of this City, on board said Steam Boat bound for Cincinnati With an assorted Cargo: that when they started as aforesaid, the said Boat was tight, staunch, well manned and provided and in good order and Condition for the trip: that they proceeded a few miles above this City to a point Called Free Port in the Parish of Jefferson, where they landed and took in a small quantity of molasses, sugar, and other merchandize to Complete their Cargo, that having done so they put out in the usual Way to proceed on their voyage, that before they had got fairly underway they discovered the whole of one side of the Cabin of said Boat abreast of the wheels to be on fire, they immediately resorted to every possible means to extinguish the fire but soon found it impossible to do so, the flames increasing rapidly throughout the Boat which, owing to the Confusion and Attention to the fire Commenced to float down the river, that

[26] in a very few minutes they lost all hope of being able to extinguish the flames and by an effort got the Engines to Work before the tether ropes were burnt and succeeded in running the boat in shore a short distance below where the fire was discovered, that the increase of the flames was so rapid it became necessary for every one on board to abandon said Boat as soon as possible to save their lives, which they did about eight O'Clock P. M.: That very soon after they landed, a fire Engine Came to their Assistance from the City of Lafayette, and played upon the flames for some time, but With no Success, and the Boat, with every thing on board Was soon Consumed down to the Water's edge: and that they Can form no idea how the fire Originated, unless it proceeded by, some Accidental Cause, from the ironing room, which was in that part of the Boat first seen on fire.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steam Boat and her said Cargo, have been occasioned solely by the circumstances herein stated and cannot nor ought not to be attributed to any insufficiency of the said Boat or negligence, or default of him, the said Master, or any of his Officer's or Crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said Joseph Pomerst, Thomas Littell, William G. West, Alexander Keefer, Seth W. Daniels and Edward M. Daniels do depose to concur and agree with said Master, in every particular Contained, Stated and expressed in the foregoing deposition, and solemnly declare the same to be Correct and true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo have been totally lost for all losses, costs, charges,

[27] expenses, damage and injury, which the said Master or the owners freighters or shippers of the said Steam Boat and her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat and her said Cargo, is or are respectively liable to pay, or make Contribution or average, according to custom or to their respective Contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Master, or on any of his officers and crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of Henry Raushide and David A. Rickel, Witnesses of lawful age and domiciliaited in said City, who hereunto subscribe their names With said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] H. Raushide, D. A. Rickel, S D Baldwin, J Pomerst, Thomas Littell, Wm G West, Alex Keefer, Seth W Daniel, Edward M. Daniel

March 1849

Protest

T. Moore
vs
of S.B. Jordan

State of Louisiana
City of New Orleans

By this Public Instrument of Protest, be it known that, on this Twentyeighth day of March in the year of Our Lord, One thousand eight hundred and forty nine, Before me, William Christy a Notary Public in and for the City and Parish of New Orleans State of Louisiana aforesaid, duly Commissioned and qualified.-

Personally came and appeared Thomas Moore, Master of the Steam Boat, Called the Texian and with him also Came and appeared John L. Reed first Engineer, Sterling Dunham, Second Engineer, & Francis Oliver, third Engineer, and James Beatty, and Alexander Clark, All hands employed on the said Steam Boat.

Which said appearers, after having been duly and Solemnly Sworn by me, said Notary, upon the Holy Evangelists of Almighty God, Voluntarily deposed and said as follows, to wit:-

The said Master, that, on the Twenty first day of March instant they left Cross Lake, on Red River in this State, on board said Steam Boat, bound for this Port With a Cargo of Three hundred and Seventy Six Bales of Cotton: that when they Started as aforesaid, the said Boat was Staunch, tight, Well manned and provided and in good order and Condition for the Voyage: that the said Boat proceeded on her Voyage touching at the usual landings and that nothing particular occurred until about One O'Clock of the morning of the Twenty Seventh, when about eight miles below Baton Rouge, and opposite to Mr. Conrad's plantation, the Cotton was discovered to be on fire near the Boilers, the Engineer immediately gave the Alarm and every effort was made to get at the fire Engine, but it being in the immediate Vicinity of the fire, which burnt so rapidly, it was impossible to get at it, that they then Attempted to extinguish the flames by throwing Water from the buckets, but without avail, and finding it utterly impossible to Stay the flames, the Boat was immediately turned to the left hand shore Coming aground with

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the intention of running her ashore, the wind at the wheel
standing until he was very Sensibly and dangerously
hurt, and which post he did not leave until the
Boat struck a Bar, Called the about two
hundred yards from the Shore, he being unable to See
the Shore owing to the flames and Smoke, when all
hands jumped overboard to Save their lives, that
there being no means of mooring the Said Boat
fast, she Soon floated off the Bar and drifted down
the River Wraft in flames and Soon disappeared
from Sight, and is Supposed Soon to have Sunk
as nothing has been Seen of her Since :- That the fire
Engine was in the usual place of Keeping it, that all
the Officers of the Boat were at their respective posts, and
that the Watch was also at his post at the time the
fire was discovered :- And that they all arrived here last
night on board the Steamboat Lucia. -

Now therefore because of the premises and as
all the loss, damage or injury which has happened
or Accrued to the Said Steam Boat and her Said Car-
go have been occasioned Solely by the Circumstances
hereinbefore Stated, and Cannot and ought not to be
Attributed to any insufficiency of the Said Steam Boat
or default or Negligence of him, the Said Master or of
any of his Officers or Crew, he, the Said Master now
requires me, the Said Notary, to make his protest and
this public act thereof, that the Same may Serve and
be and remain in full force and Virtue as of right
Shall appertain. -

And the Said John L. Rice, Sterling
Dunham, Francis Oliver, James Beatty and Alexander Clark
do depose to Concur and agree with the Said Master
in every particular Contained, Stated and expressed
in the foregoing deposition and Solemnly declare the
Same to be Correct and true in every respect.

And thereupon the Said Master with protest
And I, the Said Notary at his express instance
and request, do, by these presents publicly and So-
lemnly protest, against the unavoidable loss
have and met with as aforesaid occasioned as
aforesaid, whether or by means whereof the said
Steam Boat and her Said Cargo now has been
lost, for all losses Costs, Charges expenses

or any which the said Master, or the owners, freighters or
shippers of the said Steam Boat and her said Cargo, have
by, through or on Account of the premises, or for which the
insurers or insurers of the said Steam Boat and her said
Cargo is or are respectively liable to pay or to make Contributions
or average According to Custom or to their respective Con-
tracts or obligations, so that no part of such losses and
expenses already incurred or hereafter to be incurred do fall
upon him, the said Master, or any of his Officers or Crew.

Thus done and passed in my Office, at the
said City of New Orleans in the presence of Henry Ranshaw
and David A. Bickel, Witnesses of lawful age, who have
with Sign their names, With the said parties and me,
said notary, on the day and date set forth in the
Caption hereof.

H. Ranshaw

A. Bickel

W. L. Moore
John L. Rice
Sterling his × mark Dunham
Francis his × mark Oliver
James Beatty
Alexander Clark

Wm. Christy
Not Pub

28th March 1849 **State of Louisiana**
Protest **City of New Orleans**
Thos Moore
Master of S. B. *Texian*

[185] By this Public Instrument of Protest, be it known that on this Twenty eight day of March, in the Year of Our Lord, One Thousand Eight hundred and forty nine, before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified.

Personally came and appeared Thomas Moore, Master of the Steam Boat Called the *Texian*, and with him also Came and appeared John L. Reed, first Engineer, Sterling Dunham, Second Engineer, & Francis Oliver, third Engineer, and James Beatty, and Alexander Clark, all hands employed on the said Steam Boat.

Which said appearers, after having been duly and solemnly sworn, by me the said Notary upon the Holy Evangelists, voluntarily deposed and said, as follows, to wit:

The said Master, that, on the Twenty first day of March instant, they left Cross Lake on Red River in this State, on board said Steam Boat, bound for this Port, With a Cargo of Three hundred and Seventy Six Bales of Cotton: that when they started, as aforesaid, the said Boat was staunch, tight, well manned and provided and in good order and Condition for the Voyage: that the said Boat proceeded on her Voyage landing at the usual landings and that nothing particular occurred until about One O' Clock of the morning of the Twenty Seventh, when about eight miles below Baton Rouge, and opposite to Mr. Conrad's plantation, the Cotton was discovered to be on fire near the Boilers, the Engineer immediately gave the Alarm and every effort was made to get at the fire Engine, but it being in the immediate Vicinity of the fire, Which burnt so rapidly, it was impossible to get at it, that they then attempted to extinguish the flames by throwing water from the buckets, but without avail, and finding it utterly impossible to stay the flames, the Boat was immediately turned to the left toward shore

[186] the intention of running her ashore, the hand at the wheel Standing until he was very Severely and dangerously burnt, and which post he did not leave until the Boat Struck a Bar, Called the [blank space] about two hundred yards from the Shore, he being unable to see the shore owing to the flames, and smoke, when all hands jumped overboard to save their lives, that there being no means of making the said Boat fast, she soon floated off the Bar and drifted down the river wrapt [sic] in flames and soon disappeared from sight, and is supposed soon to have sunk as nothing has been seen of her since: That the fire Engine was in the usual place of keeping it, that all the Officers of the Boat were at their respective posts, and that the Watch was also at his post at the time the fire was discovered: And that they all arrived here last night on board the Steamboat *Lunn*.

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Steam Boat and her said Cargo, have been occasioned solely by the circumstances herein stated and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat or default or negligence of him, the said Master or of any of his Officers or Crew, he, the said Master, now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And the said John L. Reed, Sterling Dunham, Francis Oliver, James Beatty and Alexander Clark do depose to Concur and agree with said Master, in every particular Contained, stated and expressed in the foregoing deposition, and Solemnly declare the same to be true in every respect.

And thereupon the said Master doth protest, and I, the said Notary, at his special instance and request do, by these presents, publicly and solemnly protest against the unavoidable accident had and met with as aforesaid as aforesaid, occasioned as aforesaid, whereby or by means whereof, the said Steam Boat and her said Cargo have been totally lost, for all losses, costs, charges, expenses, damage

[187] or injury, which the said Master or the owners freighters or shippers of the said Steam Boat and her said Cargo, have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers after said Steam Boat or her said Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations, and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him, the said Master or on any of his officers or crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of Henry Raushide and David A. Rickel, witnesses of lawful age, who hereunto sign their names With the said appearers and me, Notary, on the day and date set forth in the Caption hereof.

[Signatures] H. Raushide, D. A. Rickel, Thomas Moore, John L. Reed, Sterling “X” Dunham, Francis “X” Oliver, James Beatty, and Alexander Clark, Wm Christy, Not Public

15th June 1855.
Protest.
by
Samuel Wells
Master of Flat boat
"Nick of the Woods"

State of Louisiana
City of New Orleans

Be it Public Instrument of Robert Christy, a Notary Public in and for the City and Parish of New Orleans, State of Louisiana, duly commissioned and qualified.

Personally came and appeared Samuel Wells, of the County and State of Arkansas Master of the Flat boat, called the "Nick of the Woods."

Who having in due form of Law noted a protest with me Notary, this day, — now wishes to extend the same, and for that purpose has brought with him, Andrew Jackson Wells a hand employed on the said Flat boat, — who being by me duly sworn according to Law did severally declare and depose, as follows to wit: — That on the Twenty Eighth day of May last they left the Swan Lake P.O. in the said County of Arkansas with the said Flat boat, having on board a Cargo of Cotton, the said flat being light, staunch and strong, fully manned and in every respect fit for the voyage which she was about to make to the Port of New Orleans. — That on the morning of the Fifth day of June Instant, between the hours of Nine and Ten O'Clock, while descending the Arkansas River, and at Andrews Cut off, encountered a snag, supposed to have been a tree root — whereby a leak was made, which caused the said flat to sink, notwithstanding the pumps were kept going, and all possible exertions used to close the leak. After taking out the Cargo, about Sixty four bales of which were more or less damaged & one bale entirely lost, exceeding in raising the flat, and not being able to repair the damage, in a condition sufficiently safe to proceed on the voyage, abandoned it, and shipped Seventy six bales of Cotton on board the Steam Boat E.P. Ray, and afterwards re-shipped, on board the Steam Boat Alex. Scott, and brought

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to the City of New Orleans, — and the balance of the Cotton now lift-
on the Banks of the River in charge of Dunstan D. Nix a partner
of the said Samuel Wells. —

And the said Master further says that the dam-
age and injury which have accrued to the said Flat boat and
her Cargo by the causes above mentioned, cannot nor ought
to be attributed to any inefficiency of the said Flat boat, or default
of them the Deponents, or of those employed in the management
thereof, — He now requires me, the said Notary to make his pro-
test and this public act thereof, that the same may serve and be
of full force and value, as of right shall appertain. — And thereupon
the said Master doth protest — and I the said Notary at his special
request, and in defence of his interests, do by these presents, publicly &
solemnly protest against all and every accident, matter and thing,
had and met with, whereby or by means whereof the said Flat boat
and her Cargo, already have, or shall hereafter appear to have
suffered, or sustained, damage, detriment or injury; for all losses,
costs, charges, expences, damages or injury which the owner or owners
of the said Flat boat and Cargo, already have or may hereafter
pay, sustain, incur or be liable to, by or on account of the premises,
or for which the insurers or insurers of the said Cotton is or are
respectively liable to pay, or make contribution or average, according
to Custom or their respective contracts or obligations; and that no
part of such losses and expences do fall on him the said Master
or his Crew.

Thus Done and protested in my Office at the said City
of New Orleans, in the presence of Augustus Commandeur and Henry
L. Smith witnesses of lawful age and domiciled in the City
who hereunto subscribe their Names together with the said Appearer*
and me Notary, on this Fifteenth day of June, A.D. Eighteen
hundred and fifty five. * with the exception of the said Samuel
Wells, who not knowing how to write hereunto makes his mark

Samuel + Wells
mark

A. Commandeur
Henry L. Smith

[illegible]

[illegible]

[illegible]

15th June 1855
Protest by
Samuel Wells
Master of Flat boat
"Nick of the Woods"

State of Louisiana
City of New Orleans

[177] By this Public Instrument of Protest, be it known that this day before me, William Christy, a Notary Public in and for the said City and Parish of New Orleans, State of Louisiana, duly commissioned and qualified,

Personally came and appeared Samuel Wells of the County and State of Arkansas, Master of the Flat boat called the *"Nick of the Woods"*.

Who having in due form of Law noted a protest with me, Notary this day, now wishes to extend the same, and for that purpose has brought with him, Andrew Jackson Wells, a hand employed on the said flat boat, who being been duly sworn according to Law, did severally declare and depose as follows to wit: That on the Twenty Eighth day of May last, they left the Swan Lake P. O. in the said County of Arkansas with the said Flat boat, having on board a Cargo of Cotton, the said flat being tight, staunch and strong, fully manned and in every respect fit for the voyage which she was about to make to the Port of New Orleans. That on the morning of the Fifth day of June Instant between the hours of Nine and Ten Oclock, while descending the Arkansas River and at Ambrose Cutoff encountered a snag, supposed to have been a tree root whereby a leak was made, which caused the said flat to sink, notwithstanding the pumps were kept going, and all possible exertions used to close the leak. After taking out the Cargo, about Sixty four bales of which were more or less damaged & one bale entirely lost, succeeding in raising the flat, and not being able to repair the damage, in a condition sufficiently safe to proceed on the voyage, abandoned it, and Shipped Twenty Six bales of Cotton on board the Steam Boat *E. P. Ray*, and afterwards reshipped on board the Steam Boat *Alex Scott*, and brought

[178] to the City of New Orleans, and the balance of the Cotton was left on the Banks of the River in charge of Quentin D Nix, a partner of the said Samuel Wells.

And the said Master further says that the damage and injuring which have accrued to the said flat boat and her Cargo, by the cause above mentioned, cannot nor ought to be attributed to any inefficiency of the said Flat boat, or default of them, these Deponents, or, of those employed in the management thereof: he now requires me, the said Notary to make his protest, and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth protest, and I, the said Notary, at his special request, and in defense of his interests, do, by these presents, publicly and solemnly protest against all and every accident, matter and thing, had and met with, whereby or by means whereof, the said Flat boat and her Cargo already have, or shall hereafter appear to have suffered or sustained damage, detriment, or injury: for all losses, costs, charges, expenses, damage and injury, which the owner or owners of the said Flat boat and Cargo, already have or may hereafter pay, sustain, incur or has part unto, by or on account of the premises, or for which the insurer or insurers of the said Cotton, is or are respectively liable to pay, or make contribution or average, according to Custom or to their respective contracts or obligations: and that no part of each losses and expenses do fall on him the said Master, or on his crew.

Thus done and protested in my office, at the said City of New Orleans in the presence of Auguste [illegible] and L. Suilen, witnesses of lawful age and domiciliaited in said City, who hereunto subscribe their names together with said appearers and me, Notary, on this Fifteenth day of June, A. D. Eighteen hundred and fifty five.

[Signatures] A. [Illegible], Henry L. Suilen, Samuel “X” Wells, A. J. Wells, Wm Christy, Not Public

No 198.
New Orleans 7th December 1850
Protest of Jacob Hunter
Master of Steamboat Melodeon
Cash

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW ORLEANS.

By this Public Instrument of Protest, BE IT KNOWN,

That on the seventh day of December in the year of our Lord one thousand eight hundred and fifty and of the Independence of the United States of America, the seventy fifth

BEFORE ME, ~~[illegible]~~ me John Claiborne, A NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the City of NEW ORLEANS, STATE OF LOUISIANA, duly commissioned and sworn, PERSONALLY CAME AND APPEARED, Jacob Hunter Master of the Steam Boat called the Melodeon who on the sixth Ult. noted in due form of law with August Chartier Notary for the Parish of Shelby his PROTEST, for the uses and purposes hereafter mentioned; and now at this day, to wit, the day of the date hereof, before me, the said NOTARY at the City of NEW ORLEANS aforesaid again comes the said Jacob Hunter and requires me to extend his PROTEST, and together with the said Jacob Hunter also came Henry Bolen the Pilot, John Ponar the Engineer and G S Hilliard the Carpenter belonging to the aforesaid Steam Boat Melodeon all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly Do Declare and Depose as follows, that is to say that on the fifth day of this month of December he the said Jacob Hunter departed in and with the said Steam Boat as the Master thereof from the City of New-Orleans having on board the said Steam Boat a CARGO of assorted merchandize and bound for the Port of Nashville in Tennessee that the said Steam Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well found, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for the voyage she was about to undertake: that on the aforesaid fifth day of December he left as Master of said Steamer Melodeon the Port of New Orleans in his said voyage, that the said Boat had proceeded up the Mississippi River a distance of about one hundred and two miles above the said City of New-Orleans and two miles above the Town of Plaquemine in the State of Louisiana that said boat was running near the right bank of the river, ascending, in the proper part of the river by law for vessels ascending the river and as near to the shore as the bar there would admit, that between the hours of four and five o'clock of the morning of the sixth instant the said Hunter Master was then being on Watch, but the said Bolen, Pilot being on duty at the steering wheel, and the said Ponar Engineer being on duty also in the Engine room at that

time, the said Hunter was awakened by a terrible shock and found on going on deck that the Steam Boat George W Kendall had run into the said Steam Boat Melodeon, causing her to sink in the Mississippi River to a depth of about three feet over the bodies deck of said Steam Boat Melodeon, and the said Pilot further declares that at the aforementioned time being between the hours of four and five o'clock on the morning of the said sixth day instant, while steering said Boat Melodeon he discovered at the distance of about three miles ahead a Steamboat coming down the river, that to avoid a collision he steered the said Steamboat Melodeon as near the shore as was possible, notwithstanding which the said Steamboat then descending the river kept her course towards said Steamboat Melodeon, and when within a short distance from him the Bell of the said descending boat was rung and her Engines stopped; which was also done on board the Melodeon, but at the same moment the said descending boat which proved to be the George W Kendall ran into the said Steam Boat Melodeon and sank her in fifteen feet water - at about one hundred yards from the shore, and the said Hunter and Pilot together with John Brown the Engineer further declare that the Engine of said Steam Boat Melodeon was in good working order and that the said accident did not occur by reason of any neglect or mismanagement of the officers and crew of said Steam Boat Melodeon, but was caused by the Steam boat George W Kendall aforesaid overlaying the river and striking the larboard bow of said Steam boat Melodeon ——

and the said Hunter further says, that all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steam Boat or her said Cargo, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Hunter doth PROTEST, and I the said NOTARY, at his special interest and request do by these presents, **Publicly and Solemnly Protest against Winds, Weather,** and especially against being run into and sunk by said Steamer G. W. Kendall and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steam Boat or her Cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steam Boat the owner or owners of the said Steam Boat or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamer or her Cargo is or are respectively liable to pay or make contribution or average according to custom, or their

respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Hunter his officers or crew.

Thus Done and Protested, at my office in the City of New Orleans, this Seventh day of December in the year of our Lord one thousand eight hundred and Fifty in the presence of N. Breniers and E. Honoré Mulus both of this City, competent witnesses, who hereunto sign their names, together with the said appearers, and me, said Notary.

~~ORIGINAL SIGNED~~, ☞

N. Breniers

E. Honoré Mulus

Jacob Hunter

Henry Bolser

John L. Bonar

G. S. Hillock

Wm Claytone

Not Pub

~~I HEREBY CERTIFY the foregoing to be a true copy of the Original Act of Protest, extant in my Current Register. In Faith of which, I hereby grant these presents, under my Signature and Seal of Office, at NEW ORLEANS, this day of eighteen hundred and~~

NOTARY PUBLIC.

NEW ORLEANS, _____ 185

PROTEST EXTENDED.

_____

MASTER.

NOTARY PUBLIC.

No. 198
New Orleans 7th November 1850
Protest of Jacob Hunter
Master of Steamboat *"Melodeon"*

United States of America,
State of Louisiana,
City of New Orleans

By this Public Instrument of Protest, be it known that the Seventh day of December, in the Year of Our Lord, One Thousand Eight hundred and fifty, and of the Independence of the United States of America, the Seventy fifth, before me, John Claiborne, a Notary Public, in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly commissioned and sworn, PERSONALLY CAME AND APPEARED, Jacob Hunter Master of the Steam Boat called the *Melodeon* who on the sixth December noted in due form of law with Auguste Chautier Notary for the Parish Iberville his PROTEST, for the uses and purposes hereafter mentioned; and now at this day, to with, the day of the date hereof, before me, the said NOTARY at the City of NEW ORLEANS aforesaid again comes the said Jacob Hunter and requires me to extend his PROTEST, and together with the said Jacob Hunter also came Henry Rolson, the Pilot, John Rouse, the Engineer and G S Skilbeck, the Carpenter belong to the aforesaid Steam Boat *Melodeon* all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly DO DECLARE AND DEPOSE as follows, that is to say that on the fifth day of this month of December he the said Jacob Hunter departed in and with the said Steam Boat as the Master thereof from this City of New Orleans having on board the Steam Boat a CARGO of assorted merchandize and bound for the Port of Nashville in Tennessee, that the said Steam Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secure; and well found, manned, tackled, victualled, appareled, and appointed: and was in every respect fit for the voyage she was about to undertake; that on the aforesaid fifth day of December he left as Master of said Steamer *Melodeon* the port of New Orleans on his said voyage, that the said Boat had proceeded up the Mississippi River a distance of about one hundred and two miles above the said City of New Orleans and two miles above the Town of Plaquemine's in the State of Louisiana, the said boat was running near the right bank of the river, ascending in the proper part of the river by law, for vessels ascending the river and as near to the shore as the bar there made would [illegible]; that between the hours of four and five o' clock of the morning of the sixth without the said Hunter Master not the being on the deck, but the said Rolson, Pilot, being on duty a the steering wheel and the said Rouse Engineer being on duty also in the Engine room at that

[Second page] time, the said Hunter was awakened by a terrible shock and found on going on deck that the Steam Boat *George W Kendall* had run into the said Steam Boat *Melodeon*, causing her to sink in the Mississippi River to a depth of about three feet over the boiler deck of said Steam Boat *Melodeon*, and the said Rolson Pilot further declared that at the aforementioned time being between the hours of four and five o'clock on the morning of the said sixth day instant, while steering said Boat *Melodeon* he discovered at the distance of about Three miles ahead a Steam boat coming down the river, that to avoid a collision he steered the said Steamer *Melodeon* as near the shore as was possible, notwithstanding which the said Steam boat then descending the river kept her course towards said Steam boat *Melodeon*, and when within a short distance from him the Bell of the said descending boat was rung and her Engineer stopped; which was also done on board the *Melodeon*, but at the same moment the said descending boat which proved to be the *George W Kendall* ran into the said Steam Boat *Melodeon* and sank her in fifteen feet water- at about one hundred yards from the shore, and the said Hunter and Rolson together with John Rouse the Engineer further declare that the Engine of said Steam Boat

Melodeon was in good working order and that the said accident did not occur by reason of any neglect or mismanagement of the officers and crew of said Steam Boat *Melodeon*, but was caused by the Steam boat *George W Kendall* aforesaid crossing the river and striking the larboard bow of said Steam boat *Melodeon*.

[Third page] and the said Hunter further says, that all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steam Boat or her said Cargo, have been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Steam Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. And thereupon the said Hunter doth PROTEST, and I, the said Notary, at his special instance and request do, by these presents, Publicly and Solemnly **Protest against Winds, Weather**, and especially against being run into and sunk by said Steamer *G W Kendall* and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat *Melodeon* or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said S Boat, the owner or owners of the said Sboat [this appears as is in document] *Melodeon* or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said Steamer or her Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their

[Fourth page] respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Hunter, his officers or crew.

Thus Done and Protested, at my office, at the said City of NEW ORLEANS, this Seventh day of December in the year of our Lord one thousand eight hundred and Fifty in the presence of R Brénan and E Florian Malus both of this City, competent witnesses, who hereunto sign their names, together with said appearers and me, Notary.

[Signatures] R Brénan, E. Florian Malus, Jacob Hunter, Henry Rolson, John Rouse,
GS Skilbeck, John Claiborne Not. Pub

No. 174.
New Orleans, 3rd May 1851
Protest
Schooner Jane,
John Nelson, Master.

United States of America,

STATE OF LOUISIANA—PARISH OF ORLEANS,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest, **BE IT KNOWN,**

THAT BEFORE ME, **JOHN CLAIBORNE**, a NOTARY PUBLIC, duly commissioned and sworn, in and for the PARISH OF ORLEANS, State of Louisiana, and dwelling in the CITY OF NEW-ORLEANS,

Personally Came and Appeared, John Nelson Master of the Schooner called the Jane who having heretofore, to wit, on the day of three presents, noted before me notary,

for the uses therein set forth his **PROTEST**, in due form of law; now requires me, NOTARY, to extend said PROTEST, and with the said John Nelson, Master, ALSO CAME AND APPEARED Francois Thiard Mate, and John Monne and Xavier Maree, Sailors

all belonging to the said Schooner Jane, And all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows—that is to say, that he, the said John Nelson departed in and with the said Schooner Jane as Master thereof from the New Basin in the Port having on board a CARGO of assorted Merchandize, and bound for the Port of Mobile, Alabama, that the said Schooner Jane was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, apparelled and appointed; and was in every respect fitted for the voyage she was about to undertake:

That on the Thirtieth day of April last past at o'clock, they departed from the New Basin aforesaid and proceeded in the New Canal to the Lake Pontchartrain from whence they took their departure for the aforesaid Port of Mobile;

That nothing worthy of particular mention occurred until about two o'clock on the morning of the Second of May instant when, having reached the Point of Horn Island, in going out through the Pass with a fresh breeze from the North East, the Schooner struck on the Spit of the inner Point of the said Island; immediately brought out Power Anchor and Chain and all;

hands were set at work heaving, also sounded the pumps and found no water in the Hold at that time; that few minutes after which the wind increased to a gale and in consequence thereof the Schooner bilged and thirty minutes or thereabouts after, had about three feet of water in the Hold; all hands were set at work at the pumps and every exertion used to free the Schooner, but, that notwithstanding their utmost exertions the Schooner filled and sunk in seven feet of water. ——————————

——— That at day light on the same day they proceeded to save from the Schooner the sails and riggings and landed the same on the beach; and at about ten o'clock having discovered the smoke of a steamer they hoisted a signal for assistance; two or three hours after the steamer Mobile came alongside the wreck and give ~~their~~ assistance; they proceeded then to save all what could be taken out of the wreck and succeeded to save a small portion of the Cargo which together with the sails & riggings were placed on the steamer; And at dark, finding it impossible to save any thing else from the wreck they abandoned the same and proceeded to New Orleans with the said steamer Mobile.

DEC

AND THE SAID John Nelson, Master, further says, that all the *damage* and *injury* which already has, or may hereafter appear to have happened or accrued to the said Schooner Jane — or her said CARGO, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Schooner, _____ or default of him, the deponent, nor of his officers and crew: Whereupon, he requires me, NOTARY, aforesaid, to make his PROTEST, and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said Master _____ doth PROTEST, and I, the said NOTARY, at his instance and request, do, by *these Presents*, PUBLICLY AND SOLEMNLY PROTEST, against Winds, Weather, and Bilging _____

and against every accident, matter or thing, had, and met with as aforesaid, whereby, or through means of which the said Schooner _____ or her Cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages and injury which the said Schooner the owner or owners of the said Schooner _____ or the owners, freighters, or shippers of her said Cargo, or any other person or persons interested or concerned in either, already have, or may hereafter pay, sustain, incur, or be put into by or on account of the premises; or for which the Insurer or Insurers of the said Schooner _____ or her Cargo, is, or are, respectively liable to pay or make good by contribution o

average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said John Nelson, master, his officers and crew.

THUS DONE, at my office in the City of New-Orleans, aforesaid, this Third day of ~~April~~ May in the year one thousand eight hundred and fifty one in the presence of Richard Perkins and Edmund Flman Malus competent Witnesses, who hereunto sign their names, with said Appearers, and me, Notary.

John Nelson.

R Perkins

his
François X Picard
mark

E. Flmanlahus

John Morris

Marie

Wm Claiborne

Not. Pub.

No. 174
New Orleans 3rd May 1851
Protest
Schooner *Jane*,
John Nelson, Master

United States of America,
State of Louisiana – Parish of Orleans
City of New Orleans

By this Public Instrument of Protest, **BE IT KNOWN,** THAT BEFORE ME, **JOHN CLAIBORNE,** a Notary Public, duly commissioned and sworn, in and for the Parish of New Orleans, State of Louisiana, and dwelling in the CITY OF NEW ORLEANS,

Personally Came and Appeared, John Nelson, Master of the Schooner called the *Jane*, who having heretofore, to wit, on the [blank space] day of these presents, [blank space] noted before me Notary, [blank space] for the uses therein set forth his **PROTEST,** in due form of law; now requires me, Notary, to extend said **PROTEST,** and with the said John Nelson, Master, ALSO CAME AND APPEARED Francois Thiard Mate, and John Monne and Xavier Marée, Sailors, all belonging to the said Schooner *Jane*, And all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows, that is to say, that he, the said John Nelson departed in and with the said Schooner *Jane* as Master thereof from the New Basin in this Port having on board a CARGO of assorted Merchandize, and bound for the Port of Mobile, Alabama, that the said Schooner *Jane* was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, appareled and appointed; and was in every respect fitted for the voyage she was about to undertake:

That on the Thirtieth day of April last past at [blank space] oclock, they departed from the New Basin aforesaid and proceeded in the New Canal to the Lake Pontchartrain from where they took their departure for the aforesaid Port of Mobile;

That nothing worthy of particular mention occurred until about two o'clock on the morning of the Second May instant when, having reached the Point of Horn Island, in going out through the Pass with a fresh breeze from the North East, the Schooner struck on the spit of the inner Point of the said Island, immediately brought out Bower Anchor and chain and all

[Second page] hands were set at work heaving, also sounded the pump and found no water in the Hold at that time; that few minutes after which the wind increased to a gale and in consequence thereof the schooner bilged and thirty minutes or thereabouts after, had about three feet of water in the Hold; all hands were set at work at the pump and every exertion used to free the schooner, but, that notwithstanding their utmost exertions the schooner filled and sunk in seven feet of water.

That at day light on the same day they proceeded to save from the Schooner the sails and riggings and landed the same on the beach; and at about ten o'clock having discovered the smoke of a steamer they hoisted a signal for assistance, two or three hours after the Steamer *Mobile* came alongside the wreck and gave assistance; they proceeded then to save all what could be taken out of the wreck and succeeded to save a small portion of the Cargo which together with the sails & riggings were placed on the steamer; And at dark, finding it impossible to save anything else from the wreck they abandoned the same and proceeded to New Orleans with the said Steamer *Mobile.*

[Third page] AND THE SAID, John Nelson, Master, further says, that all the *damage* and *injury* which already has or may hereafter appear to have happened or accrued to the said Schooner Jane or her said Cargo, have been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Schooner, or default of him, the deponent, nor of his officers and crew: WHEREUPON, he requires me, the said NOTARY, aforesaid, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. AND THREUPON, the said Master doth PROTEST, and I, the said Notary, at his instance and request, do, by these presents, PUBLICLY AND SOLEMNELY PROTEST, against Winds, Weather, and Bilging and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Schooner or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said Schooner the owner or owners of the said Schooner or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the Insurer or Insurers of the said Schooner or her Cargo, is, or are, respectively liable to pay or make contribution or

[Fourth page] average, according to custom, or to their respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said John Nelson, Master, his officers and crew.

THUS DONE, at my office, in the said City of New Orleans, this Third day of May in the year one thousand eight hundred and fifty one in the presence of Richard Brénan and Edmond Florian Malus, competent Witnesses, who hereunto sign their names, with said Appearers and me, Notary.

[Signatures] R Brénan, E. Florian Malus, John Nelson, Francois “X” Thiard,
John Monne, Marée, John Claiborne, Not. Pub.

No. 29 August
Protest of
H. E. Boehner Master of
Steam Ship Galveston
C. M.

United States of America,

STATE OF LOUISIANA—PARISH OF ORLEANS,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest, BE IT KNOWN,

THAT BEFORE ME, **JOHN CLAIBORNE,** a NOTARY PUBLIC, duly commissioned and sworn, in and for the PARISH OF ORLEANS, State of Louisiana, and dwelling in the CITY OF NEW-ORLEANS,

Personally Came and Appeared, *H. E. Boehner* *Steam Ship* called the *Galveston* Master of the to wit, on the *Twenty eighth* day of *August instant* who having heretofore, *Notary* noted before *me the undersigned*

for the uses therein set forth his **PROTEST,** in due form of law; now requires me, NOTARY, to extend said PROTEST, and with the said *Captain Boehner* ALSO CAME AND APPEARED *John Blair the mate, John Griffin the First Engineer, Alexander P. Waldron the Second Engineer, Rodolph Dopall the Clerk and George Powers seaman*

all belonging to the said *Steam Ship Galveston* all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows—that is to say, that he, the said *Captain Boehner* departed in and with the said *Steam Ship* as *the master* thereof from *Matagorda Bay* having on board a CARGO of *Cattle and Cotton &c* and bound for the Port of *New Orleans via Galveston* that the said *Steam Ship* was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, apparelled and appointed; and was in every respect fitted for the voyage she was about to undertake: *That said Steam Ship Galveston left Matagorda Bay on Saturday afternoon the 23d August at 4 o'clock and crossed the bar at 6 PM same day, arrived at Galveston at 8 AM of Sunday the 24th and left there at 4 PM same day for New Orleans, fifteen minutes before 5 PM of that day crossed the Bar, and the ships course was shaped East. The weather fine and pleasant with good breeze from SSE, set the fore and aft sails, the weather continued pleasant with a fine breeze from same quarter on Monday the 25th at 10h 30m AM spoke Steam Ship Louisiana from New Orleans for Galveston, at noon latitude by observation 29° North, then steered E½N until 1 PM then steered E, at 1h 30m PM the water ahead looking like a tide rip, the Captain having gone aloft, descended, and the mate reporting soundings at 4½ fathoms, the Engineer was ordered to slow the engine, soundings were now found at ¼ less 2 fathoms, when the Engineer was ordered to stop the engine and back her, a given sounding found but 9 feet water when the Ship struck and immediately swung round broadside to the shoal, which proved to be Ship Island Shoal, the current setting to the E SE very strong and so*

the shoal, the large anchor was immediately dropped and a hawser got on to the boat
to run out a kedge on leaving the ship, the boat with the hawser was carried by the
current on to the shoal, at this time the wind hauled to the westward and increased
so that the sea began to break on the shoal, the people in the boat were unable to get back
to the ship and in order to save her from sinking they were obliged to throw over the
hawser and after two hours of hard labor they succeeded in getting alongside the ship,
with considerable danger and after some time succeeded in getting out a kedge anchor
to haul the ships bows off. Threw overboard the Cattle and hove on the hawser
but owing to the hard bottom the anchor came home, but was again immediately
carried out, to no purpose, the ship continued to work on to the shoal, with the cu
rrent running very strong across the shoal, at 11 PM the ship commenced making
water very fast, the pumps were kept going, but to no purpose as the ship immediately
filled and the pumps were choked with sand, At daylight on Tuesday 26th August
the shore distant about fourteen miles ~~[illegible]~~ Dispatched the Cutter was sent off
with a boat in order to procure assistance, during the night the lights ship was just
perceivable due East from the wreck about twelve miles: at 11 AM the steamship
Mexico hove in sight, the passengers being all safely got on board of her the
wreck was set on fire, abandoned, at 5 PM of Wednesday the 27th in the Mexico
crossed the Bar of the SW Pass and reached the levee at New Orleans at 7 PM same
day. Every exertion was made by both the crew and passengers to save the ship
but in vain

AND THE SAID Captn Bochner further says, that all the *damage* and *injury* which already has, or may hereafter appear to have happened or accrued to the said Steam Ship or her said CARGO, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steam Ship or default of him, the deponent, nor of his officers and crew: Whereupon, he requires me, NOTARY, aforesaid, to make his PROTEST, and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said Captn Bochner doth PROTEST, and I, the said NOTARY, at his instance and request, do, by these *Presents*, PUBLICLY AND SOLEMNLY PROTEST, against Winds, Weather, Currents and Shoals

and against every accident, matter or thing, had, and met with as aforesaid, whereby, or through means of which the said Steam Ship or her Cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages and injury which the said Steam Ship the owner or owners of the said Steam Ship or the owners, freighters, or shippers of her said Cargo, or any other person or persons interested or concerned in either, already have, or may hereafter pay, sustain, incur, or be put into by or on account of the premises; or for which the Insurer or Insurers of the said Steam Ship or her Cargo, is, or are, respectively liable to pay or make good by contribution or

average according to custom, or their respective contracts or obligations; and that no part of such losses or expenses already incurred, or hereafter to be incurred, do fall on him the said Capt. Buchner officers and crew.

THUS DONE, at my office in the City of New-Orleans, aforesaid, this Twenty nine day of August in the year one thousand eight hundred and fifty one in the presence of Richard Brennan and Charles B. Templeton competent Witnesses who hereunto sign their names, with said Appearers, and me, Notary.

R. Brennan

C. B. Templeton

H. E. Buchner

John Griffin

Alexander P. Waldron

George Powers

R. D. Wasatt

John Place

Wm Claiborne

Not Pub

No. 289, 29th August 1851
Protest of
H. E. Bochner, Master of
Steam Ship *Galveston*

United States of America,
State of Louisiana, Parish of Orleans
City of New Orleans

By this Public Instrument of Protest, **BE IT KNOWN,** THAT BEFORE ME, **JOHN CLAIBORNE,** a Notary Public, duly commissioned and sworn, in and for the Parish of New Orleans, State of Louisiana, and dwelling in the CITY OF NEW ORLEANS,

Personally Came and Appeared, H. E. Bochner, Master of the Steam Ship called the *Galveston*, who having heretofore, to wit, on the Twenty eight day of August instant, noted before me, the undersigned Notary, for the uses therein set forth his **PROTEST,** in due form of law; now requires me, Notary, to extend said **PROTEST,** and with the said Captain Bochner. ALSO CAME AND APPEARED John Place the mate, John Griffin the First Engineer, Alexander P Waldron the Second Engineer, Rudolph Dossat the clerk and George Powers seaman, all belonging to the said Steam Ship *Galveston*, all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows, that is to say, that he, the said Captain Bochner departed in and with the said Steam Ship as Master thereof from Matagorda Bay having on board a CARGO of Cattle and Cotton and bound for the Port of New Orleans via Galveston; that the said Steam Ship was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, appareled and appointed; and was in every respect fitted for the voyage she was about to undertake: that said Steam Ship *Galveston* left Matagorda Bay on Saturday afternoon the 23rd August at 4 o'clock and crossed the bar at 6 P.M. same day, arrived at Galveston at 8 A M of Sunday the 24th and left there at 4 P.M. same day for New Orleans, fifteen minutes before 5 P.M. of that day crossed the Bar, and the ships course was shaped East, the weather fine and pleasant with a good breeze from SSE, set the fore and aft sails, the weather continued pleasant with a fine breeze from same quarter on Monday the 25th at 10h. 30' A.M., spoke Steam Ship *Louisiana* from New Orleans for Galveston, at noon latitude by observation 29° North, then steered E ½ N until 1 P.M. then steered E at 1h. 30' PM the water ahead looking like a tide rip, the Captain having gone aloft, descended and the mate reporting soundings at 4 ½ fathoms, the Engineer was ordered to slow the engine, soundings were now found at ¼ less 2 fathoms, when the Engineer was ordered to stop the engine and back her, again soundings found but 9 feet water where the ship struck and immediately swung around broadside to the shoals which proved to be Ship Island Shoals; the current setting to the ESE very strong across

[Second page] the Shoal; the large anchor was immediately dropped and a hawser got out the boat to run out a kedge; on leaving the ship the boat with the hawser was carried by the current on to the shoal, at this time the wind howled to the westward and increased so that the sea began to break on the shoals, the people in the boat were unable to get back to the ship and in order to save her from sinking they were obliged to throw over the hawser and after two hours of hard labor they succeeded in getting alongside the ship, with considerable danger and after some time succeeded in getting out a kedge anchor to heave the ships bows off. Threw overboard the [illegible] and hove on the hawser but owing to the hard bottom the anchor came home, but was again immediately carried out, to no purpose, the ship continued toward on to the shoal with the current running very strong across the shoal, at 11PM. The ship commenced making water very fast, the pumps were kept going, but to no purpose as the ship immediately filled and the pumps were choked with sand. At daylight on Tuesday 26th August the shore distant about fourteen

miles, Felix Dossat the Clerk was sent off with a boat in order to procure assistance, during the night the light ship was just perceivable due East from the wreck about twelve miles: at 11 AM. The steam ship *Mexico* hove in sight, the passengers being all safely got on board of her, the wreck was of necessity abandoned, at 5 AM of Wednesday the 27th in the *Mexico* crossed the Bar of the SW Pass and reached the Levee at New Orleans at 7 PM same day. Every exertion was made by both the crew and passengers to save the ship but in vain.

[Third page] AND THE SAID Captain Bochner further says, that all the *damage* and *injury* which already has or may hereafter appear to have happened or accrued to the said Steam Ship or her said Cargo, have been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Steam Ship, or default of him, the deponent, nor of his officers and crew: WHEREUPON, he requires me, the said NOTARY, aforesaid, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. AND THREUPON, the said Captain Bochner doth PROTEST, and I, the said Notary, at his instance and request, do, by these presents, PUBLICLY AND SOLEMNELY PROTEST, against Winds, Weather, Currents and Shoals and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steam Ship or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said Steam Ship the owner or owners of the said Steam Ship or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the Insurer or Insurers of the said Steam Ship or her Cargo, is, or are, respectively liable to pay or make contribution or

[Fourth page] average, according to custom, or to their respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Captain Bochner, his officers and crew.

THUS DONE, at my office, in the said City of New Orleans, this Third day of May in the year one thousand eight hundred and fifty one in the presence of Richard Brénan and Charles B. Singleton, competent Witnesses, who hereunto sign their names, with said Appearers and me, Notary.

[Signatures] R Brénan, C. B. Singleton, H. E. Bochner, John Griffin, Alexander P Waldron, Rudolph Dossat, George Powers, John Place

No. 212 23 October 1851
Protest of Townsend Weeks
master of Ship Gertrude
Bill

United States of America,

STATE OF LOUISIANA—PARISH OF ORLEANS,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest, BE IT KNOWN,

THAT BEFORE ME, **JOHN CLAIBORNE,** a NOTARY PUBLIC, duly commissioned and sworn, in and for the PARISH OF ORLEANS, State of Louisiana, and dwelling in the CITY OF NEW-ORLEANS,

Personally Came and Appeared, Townsend Weeks Master of the Ship called the Gertrude who having heretofore, to wit, on the Twenty second day of October instant noted before me the undersigned Notary

for the uses therein set forth his **PROTEST,** in due form of law; now requires me, NOTARY, to extend said PROTEST, and with the said Captain Weeks ALSO CAME AND APPEARED C. B. Sondstick the first mate, John Miller the second mate and Joseph Nutting first seaman and John Clark also seaman

all belonging to the said Ship Gertrude all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows—that is to say, that he, the said Captain Weeks departed in and with the said Ship Gertrude as Master thereof from Havre in France having on Board a CARGO of Merchandize and bound for the Port of New Orleans Louisiana that the said Ship was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, apparelled and appointed; and was in every respect fitted for the voyage she was about to undertake: That on the Eighteenth day of August last the said Ship sailed from the Port of Havre France, nothing of importance occurred on the voyage until Friday the Tenth day of October instant strong winds blowing with cloudy weather at 4 PM hauled out for five fathoms of larboard and three fathoms of starboard chain, put the anchor in the shed and hauled out the lines and hawsers at 5 PM took in studding sails royals and topsails, and kept off west, at 9 PM made the N.E. Pass light bearing S by W ½ W and hauled up SSE, strong winds continuing to blow at the ship continuing on the same course at 2 AM the N.E. Pass light bearing N W ½ N made the South Point light which bore S W ½ at 4.30' state on the same course said light bore W ½ N distant about 12 miles, at 5.30' struck a sand Bank off the South Point and stuck fast, strong winds continued to blow during the latter part of the day with fair weather were unable to force the ship off the bank on either way; at 6 AM a pilot came on board a steamer and Hedge anchor were then got out, but could not heave the ship off. On the 11th strong winds and fair weather continued, at 1 PM hove in the slack of the hawsers found that both anchor came home, the Steamer Conqueror came down this day but found to much sea or to venture out to us, at 3 the Steamer Whiting came down but would

not venture out on account of the heavy sea running, the ship rolled and thumped hard,
finding that she made some water both pumps were rigged and she was freed, the wind continued
to blow in hard all day, the pumps carefully attended, towards the latter part the ship surged
somewhat and took her anchors, then hove the small anchor home, the Captain then went on
board the Congress, the master of which steamer did not take hold of the ships, all hands employed
in preparing to lighten ship. On the 12th Strong gales from S.E. and squally, the ship forereached
with her anchors, at 2 AM a heavy sea on the ship thumped very hard, started her sheathing
and broke her rudder brace, but did not make any more water than on the previous day, at
4 AM cut the Steam Cable out aft, and hove it taught, at 11 set fore top sail aback, strong winds
blowing with rain, on the 13th the wind moderate from the S with fair weather all of the Cabin &
between forty and fifty of the Steerage passengers went from the ship on board the steamer FM
Shick for New Orleans, at 8 AM the wind veered to NW when all sail was made and endeavored
to force the ship off aback, at 11 blowing heavy fearing the royals, the ship not
moving. The Pumps were carefully attended; at 2 AM found that she had made water fast
then started both pumps, at 6 sounded and found 11 feet water and could not free her, on
the 14th Strong gales from N to NNW, at 4 PM the steamers Congress and Ocean came down
along side, when the lower deck hatches were opened, found the lower hold full of water, a
number of cases were hauled out in order to get a suction pump down, a part of the cargo
between decks was discharged into the Steamer Ocean, on which boat the remainder of the
passengers left the ship, at 5 AM same day the Steamers Anglo American and Tenter came
along side, working their pumps, the wind having moderated, the Tenter commenced
pumping at 3 and at 10 both pumps were working well, continued pumping until
12 M but could not gain on the leak, then left off pumping and commenced discharging
cargo. On the 15th the weather continuing fair with moderate breezes took all out from between
decks and whatever could be got at in the lower hold, commenced dripping the ship of her
sails, rigging and spars a portion of which were put on board the Steamer Louisville and
Tenter together with the boats, the Tenter and Anglo American continued pumping
between 8 and 10 but could gain very little on the leak, on the 16th continued dripping
the ship and discharging, three boats were this day along side pumping but did not gain
on the leak. On the 17th Strong gales blowing from N.E. there was too much sea for the
steamers to come out to the assistance of the ship, on the 18th had heavy squally strong
gales from E.S.E. with rain, the steamers not able to lay out through most of the SW Pass
during the night the water rose considerably higher, the ship became very much bagged
about midships, there being a heavy sea on the ship lifted to Port more than ever the
water was now nearly level with the plank sheer, and it became impossible to work
at the Cargo, then employed the men in dripping mizzen mast and cut down the
fore top mast and lower yard, on the 19th the steamers Ocean & Louisville were made to
come to the assistance of the ship on account of the swell of the sea caused by the
the weather moderating about 6 A.M. a gang came on board from the Louisville and
steamer the Ocean came alongside, on the evening of the 20th a boat of the Louisville
the Ocean then pushing and shoving through her the same as on before & being unable to
get her off.

AND THE SAID Captain Weeks further says, that all the *damage* and *injury* which already has, or may hereafter appear to have happened or accrued to the said Ship Gertrude or her said CARGO, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Ship Gertrude or default of him, the deponent, nor of his officers and crew: **Whereupon**, he requires me, NOTARY, aforesaid, to make his PROTEST, and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said Captain Weeks doth PROTEST, and I, the said NOTARY, at his instance and request, do, by these *Presents*, PUBLICLY AND SOLEMNLY PROTEST, against Winds, Weather, striking on Sand Bank, the drifting of the Ship by reason of the current &c

and against every accident, matter or thing, had, and met with as aforesaid, whereby, or through means of which the said Ship Gertrude or her Cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages and injury which the said Ship the owner or owners of the said Ship or the owners, freighters, or shippers of her said Cargo, or any other person or persons interested or concerned in either, already have, or may hereafter pay, sustain, incur, or be put into by or on account of the premises; or for which the Insurer or Insurers of the said Ship Gertrude or her Cargo, is, or are, respectively liable to pay or make good by contribution or

average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Captain Weeks his officers and crew.

THUS DONE, at my office in the City of New-Orleans, aforesaid, this Twenty third day of October in the year one thousand eight hundred and fifty one in the presence of Richard Brennan and Edmond Flinn Malus competent Witnesses who hereunto sign their names, with said Appearers, and me, Notary.

Timoseus Weeks

R. Brennan

E. Flinn Malus

J. B. Broditch

John Miller

Joseph Routh Lyford

and the said John Clark having first declared to me Notary that he could neither write nor sign his name has hereto made his usual mark as follows.

John
his X mark
Clark

Wm Dorsey

Not. Pub.

No. 312 23rd October 1851
Protest of Townsend Weeks
Master of Ship *Gertrude*

United States of America,
State of Louisiana – Parish of Orleans
City of New Orleans

By this Public Instrument of Protest, **BE IT KNOWN,** THAT BEFORE ME, **JOHN CLAIBORNE,** a Notary Public, duly commissioned and sworn, in and for the Parish of New Orleans, State of Louisiana, and dwelling in the CITY OF NEW ORLEANS,

Personally Came and Appeared, Townsend Weeks, Master of the Ship called the *Gertrude*, who having heretofore, to wit, on the Twenty Second day of October instant, noted before me the undersigned Notary, for the uses therein set forth his **PROTEST,** in due form of law; now requires me, Notary, to extend said **PROTEST,** and with the said Captain Weeks. ALSO CAME AND APPEARED J. B. Bowditch, the first mate, John Miller, the second mate and Joseph Rutherford, seaman and John Clark also seaman, all belonging to the said Ship *Gertrude*, all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows, that is to say, that he, the said Captain Hicks departed in and with the said Ship *Gertrude* as Master thereof from Harnes in France, having on board a CARGO of Merchandize and bound for the Port of New Orleans Louisiana, that the said Ship was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, appareled and appointed; and was in every respect fitted for the voyage she was about to undertake: that on the Eighteenth day of August last the said Ship sailed from the Port of Harnes France, nothing of importance occurred on the voyage until Friday the Tenth day of October instant, strong winds blowing with cloudy weather at 4 P. M. hauled out forty five fathoms of larboard and Thirty fathoms of Starboard chain, put the anchors in the shoal and hauled out the lines and hawsers at 8 P.M. took in studding sails royals and topsails, and kept off west, at 9 PM made the NE Pass light bearing S by W ½ W, and hauled up SSE, strong winds continuing to blow, & the ship continuing on the same course at 2 A.M. the NE Pass light bearing NW by N made the South Point light which bore SE; at 4. 30.' Still on the same course said light bore W by N distant about 12 miles, at 5. 30', struck a Sand Bank off the South Point and stuck fast, strong winds continued to blow during the latter part of the day with fair weather, were unable to forced the ship off the bank on either way: at 6 AM a pilot came on board a stream and kedge anchor were then got out, but could not have the ship off, on the 11th, strong winds and fair weather continued, at 1 PM hove in the slack of the hawsers and found that both anchors came home; the Steamer *Conqueror* came down this day, but found too much sea on to venture out to us, at 3 the Steamer *Whitney* came down, but would

[Second page] not venture out on account of the heavy sea running, the ship rolled and [illegible], finding that she made some water, both pumps were rigged and she was freed, the wind continued to blow very hard all day, the pumps carefully attended, towards the latter part the ship surged ahead some what and took her anchors, then hove the stream anchor home, the Captain then went on board the *Conqueror*, the master of which steamer dared not take hold of the ship, all hands employed in preparing to lighten ship, on the 13th Strong gales from SE and squalls, the ship forged ahead with her anchors, at 2 A.M. a heavy sea and the ship thumped very hard, started her rudder up and broke her rudder braces, but did not make any more water than on the previous day, at 7 Am ran the stream cable out aft, and have it taut, at 11 set fore top sail aback strong winds blowing with rain, on the 13th the wind moderate from the S with fair weather all of the cabins & between forty and fifty of the steerage passengers went from the ship on board the steamer *PM [illegible]* for New Orleans, at 8 A. M. the wind [illegible] to NW

where all sail was made and [illegible] round to force the ship off aback, at 11 blowing heavy fueled the royals, the ship not moving, The pumps were carefully attended; at 2 AM found that she had made water fast, then started both pumps, at 6 sounded and found 11 feet water and could not force her; on the 14th strong gales from N & NNW, at 4 P.M. the steamers *Conqueror* and *Ocean* came down along side, when the lower deck hatches were opened found the lower hold full of water, a number of cases were hauled out in order to get a suction pump down, a part of the goods between decks was discharged with the Steamer *Ocean,* on which boat the remainder of the passengers left the ship, at 5 AM same day, the Steamers *Anglo American* and *Yankee* came along side, working their pumps, the wind having moderated, the *Yankee* commenced pumping at 3 and at 10 both pumps were working well, continued pumping until 12 M. but could not gain on the leak, then left off pumping and commenced discharging decks and whatever could be got at in the lower hold, commenced stripping the ship of her sails, rigging, and spars, a portion of which were put on board the Steamers *Louisville* and *Yankee* together with the boats, the *Yankee* and *Anglo American* continued pumping, between 8 and 10 but could gain very little on the leak, on the 16th continued stripping the ship and discharging. Three boats were this day alongside pumping but could not gain on the leak, on the 17th strong gales blowing from NE there was too much sea in for the steamers to come out to the assistance of the ship, on the 18th had strong gales from the SE with rain, the steamers not able to lay out the night, went up the SW Pass during the night, the water was considerably higher, the ship became very much bogged about midships, there being a heavy sea on the ship listed to Port more than [illegible] the water was now nearly level with the plank shear, and it became impossible to work at the Cargo, then employed the men in stripping mizzen mast and [illegible] mast, fore top mast and lower yard, on the 19th the Steamers *Ocean* & *Louisville* were unable to come to the assistance of the ship on account of the swell of the sea early on the day but the weather moderating about 6 A. M. a gang came on board from the *Louisville* and Steamer *Dee Brown* came alongside, on the morning of the 20th all hands left the ship, the tide then flowing and ebbing through her the same as outside, it being impossible to get her off.

[Third page] AND THE SAID, Captain Weeks further says, that all the *damage* and *injury* which already has or may hereafter appear to have happened or accrued to the said Ship *Gertrude* or her said Cargo, have been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Ship *Gertrude*, or default of him, the deponent, nor of his officers and crew: WHEREUPON, he requires me, the said NOTARY, aforesaid, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. AND THREUPON, the said Captain Weeks doth PROTEST, and I, the said Notary, at his instance and request, do, by these presents, PUBLICLY AND SOLEMNELY PROTEST, against Winds, Weather, striking on Sand Bank, the drifting of the ship by reason of the current and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Ship *Gertrude*, or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said Ship the or owners of the said Ship or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the Insurer or Insurers of the said Ship *Gertrude*, or her Cargo, is, or are, respectively liable to pay or make contribution or

[Fourth page] average, according to custom, or to their respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Captain Hicks, his officers and crew.

THUS DONE, at my office, in the said City of New Orleans, this Twenty third day of October in the year one thousand eight hundred and fifty one in the presence of Richard Brénan, and Edmond Florian Malus competent Witnesses, who hereunto sign their names, with said Appearers and me, Notary.

[Signatures] R Brénan, E. Florian Malus, Townsend Weeks, J. B. Bowditch, John Miller Joseph Rutherford, John “X” Clark, Wm Claiborne, Not Public

No. 236. 21st August 1851
Protest
by
John Petit Master of the
Wm C. Preston

United States of America,

STATE OF LOUISIANA—PARISH OF ORLEANS,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest, **BE IT KNOWN,**

THAT BEFORE ME, **JOHN CLAIBORNE,** a NOTARY PUBLIC, duly commissioned and sworn, in and for the PARISH OF ORLEANS, State of Louisiana, and dwelling in the CITY OF NEW-ORLEANS,

Personally Came and Appeared, John Petit Master of the Schooner called the Wm C. Preston who having heretofore, to wit, on the thirteenth day of the month of August noted before C. Lewis a justice of the Peace for Hancock County State of Mississippi

for the uses therein set forth his **PROTEST,** in due form of law; now requires me, NOTARY, to extend said PROTEST, and with the said Captain Petit ALSO CAME AND APPEARED Victor Petit the mate, Victor Perrot the cook and Francois Guilyot seaman

all belonging to the said Schooner Wm C. Preston all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows—that is to say, that he, the said John Petit departed in and with the said Schooner as the master thereof from the Port of New Orleans having on board a CARGO of assorted Merchandize and bound for the Port of Bates St Lago, Texas that the said Schooner was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, apparelled and appointed; and was in every respect fitted for the voyage she was about to undertake: that the schooner was cleared on Friday the first of August instant, the sails bent and decks cleared, on the second of August left the basin Carondelet and proceeded to the end of the Canal Carondelet, on the third towed down to the mouth of the Bayou St John, on Monday the Schooner then Brother aground on the Bar, towed the Schooner going out and there not being enough water on the bar, on Tuesday the fifth discharged the Carpenter flat, on Wednesday the sixth crossed the bar and took on board the Cargo and proceeded on the voyage, on Thursday night at about one o'clock came to anchor near Joseph's Island, on Friday the 8th at about half all made sail, finding that the vessel was short of water came to anchor in the Bay of St Louis the wind being at S.S.E., on Saturday the 9th having taken on board a supply of water and provisions made sail between three and four o'clock P.M., came to anchor between 10 & 11 o'clock same day about three miles S of the floating light, and continuing the above on Sunday the 10th

about 7 o'clock A.M. a light breeze springing up we set sail and about
8 P.M. same day came to anchor the South point of the Chandeleur Islands
leaving about East five miles distant. on Monday the 11th the breeze sprung
up from E.N.E. the schooner steering S by W and going about 4 knots per hour
until about half past 11 A.M. a heavy black cloud coming on had
with a dead calm, came to anchor; at about 12 M same day the breeze sprung
up again we set sail, about one o'clock same day had the hatch up
in order to get at a barrel of rum and discovered the vessel to be on fire the
Chuttoo Island then distant about Ten miles. every exertion was
made by the crew to get the fire under and save the vessel and cargo but
without success. the fire appeared to have commenced about midships
and there being on board some twenty kegs of Powder and several barrels
of Spirits in order to save the lives of the crew took to the boat and about
Ten minutes after the schooner was abandoned she was blown up
by the explosion of the powder and spirits by which every thing on board
was lost including the log book

AND THE SAID John Petit further says, that all the *damage* and *injury* which already has, or may hereafter appear to have happened or accrued to the said Schooner or her said CARGO, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Schooner or default of him, the deponent, nor of his officers and crew: Whereupon, he requires me, NOTARY, aforesaid, to make his PROTEST, and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said Captain Petit doth PROTEST, and I, the said NOTARY, at his instance and request, do, by these *Presents*, PUBLICLY AND SOLEMNLY PROTEST, against Winds, Weather, and destruction of the said Schooner her Cargo, Furniture tackle and apparel by fire

and against every accident, matter or thing, had, and met with as aforesaid, whereby, or through means of which the said Schooner or her Cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages and injury which the said Schooner the owner or owners of the said Schooner or the owners, freighters, or shippers of her said Cargo, or any other person or persons interested or concerned in either, already have, or may hereafter pay, sustain, incur, or be put into by or on account of the premises; or for which the Insurer or Insurers of the said Schooner or her Cargo, is, or are, respectively liable to pay or make good by contribution or

average according to custom, or their respective contracts or obligations; and that no part of such loss
expenses already incurred, or hereafter to be incurred, do fall on him the said Captain Peirce
officers and crew.

THUS DONE, at my office in the City of New-Orleans, aforesaid, this Twenty fou
day of August in the year one thousand eight hundred and fifty one in the pre
Richard Prenau and Thomas R. Wolfe competent Wi
who hereunto sign their names, with said Appearers, and me, Notary.

Thos R. Wolfe

R. Prenau

J. Dem

Victor

his
X
mark

Wm Dainow
Not. Pub.

No. 286 21st August 1851
Protest
by
Schooner *Jane*,
John Petit, Master of Schn
Wm C. Preston

United States of America,
State of Louisiana – Parish of Orleans
City of New Orleans

By this Public Instrument of Protest, **BE IT KNOWN,** THAT BEFORE ME, **JOHN CLAIBORNE,** a Notary Public, duly commissioned and sworn, in and for the Parish of New Orleans, State of Louisiana, and dwelling in the CITY OF NEW ORLEANS,

Personally Came and Appeared, John Petit, Master of the Schooner called the *Wm C. Preston*, who having heretofore, to wit, on the thirteenth day of the month of August, noted before C Lewis, a Justice of the Peace for Hancock County, State of Mississippi for the uses therein set forth his **PROTEST,** in due form of law; now requires me, Notary, to extend said **PROTEST,** and with the said Captain Petit, ALSO CAME AND APPEARED Victor Petit, the mate, Victor Pierrot, the cook and Francois Guilyot, seaman, all belonging to the said Schooner *Wm C Preston*, all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows, that is to say, that he, the said John Petit departed in and with the said Schooner as the Master thereof from the Port of New Orleans, having on board a CARGO of assorted Merchandize and bound for the Port of Brases L Lago, Texas that the said Schooner was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, appareled and appointed; and was in every respect fitted for the voyage she was about to undertake: that the Schooner was cleared on Friday the first of August instant, the sails bent and decks [illegible] on the second of August left the basin Carondelet and proceeded to the end of the Canal Carondelet on the third towed down by two mules to the mouth of the Bayou St. John, on Monday the Schooner *Three Brothers* aground on the Bar prevented the Schooner going out and there not being enough water on the bar, on Tuesday the fifth discharged the Cargo onto a flat, on Wednesday the sixth, crossed the bar, and took on board the Cargo and proceeded on the voyage, on Thursday night at about one o'clock came to anchor near Josephs Island, on Friday the 8th at about 6 A. M. made sail, finding that the vessel was short of water, came to anchor in the Bay of St. Louis, the wind being at SSE on Saturday the 9th having taken on board a supply of water and provisions made sail between three and four o'clock PM, came to anchor between 10 & 11 o'clock same day about three miles of the floating light, wind continuing to be ahead, on Sunday the 10th

[Second page] about 7 o'clock A. M., a light breeze springing up made sail and about 9 P. M. Sunday came to anchor the north point of the Chandeleur Islands bearing about East five miles distant, on Monday the 11th, the breeze getting up from E. S. E. the schooner steering S by W and going about 4 knots [illegible] until abut half past 11 A. M. a heavy black cloud coming [illegible] head with a dead calm, came to anchor; at about 12 N., same day the breeze getting up again made sail, about one o'clock same day had the hatch open in order to get at a band of rice, and discovered the vessel to be on fire, the Britton Island there distant about Ten miles, Every exertion was made by the crew to get the fire under and save the vessel and cargo but without success, the fire appeared to have commenced about mid ship and there being on board some twenty kegs of Powder and several barrels of spirits, in order to save the lives of the crew, took to the boat and about Ten minutes after the Schooner was abandoned she was blown up by the explosion of the powder and spirits, by which way they on board was lost including the log book.

[Third page] AND THE SAID, John Petit further says, that all the *damage* and *injury* which already has or may hereafter appear to have happened or accrued to the said Schooner or her said Cargo, has been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Schooner, or default of him, the deponent, nor of his officers and crew: WHEREUPON, he requires me, the said NOTARY, aforesaid, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. AND THREUPON, the said Captain Petit doth PROTEST, and I, the said Notary, at his instance and request, do, by these presents, PUBLICLY AND SOLEMNELY PROTEST, against Winds, Weather, and destruction of the said Schooner, her Cargo, Furniture, tackle and apparel by fire and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Schooner or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said Schooner the owner or owners of the said Schooner or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the Insurer or Insurers of the said Schooner or her Cargo, is, or are, respectively liable to pay or make contribution or

[Fourth page] average, according to custom, or to their respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said Captain Petit, his officers and crew.

THUS DONE, at my office, in the said City of New Orleans, this Twenty first day of August in the year one thousand eight hundred and fifty one in the presence of Richard Brénan and Thomas R. Wolfe, competent Witnesses, who hereunto sign their names, with said Appearers and me, Notary.

[Signatures] Thos R. Wolfe, R Brénan, J. Petit, Victor Petit, Victor Pierrot, F. “X” Guilyot, John Claiborne, Not. Public

No. 135.
— N. O. 2d August 1852. —
— Protest Extended —
— Barque Charlotte —
— William Rea Master. —

United States of America,

STATE OF LOUISIANA—PARISH OF ORLEANS,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest, **BE IT KNOWN,**

THAT BEFORE ME, **JOHN CLAIBORNE,** a NOTARY PUBLIC, duly commissioned and sworn, in and for the PARISH OF ORLEANS, State of Louisiana, and dwelling in the CITY OF NEW-ORLEANS, — — — —

PERSONALLY CAME AND APPEARED, William Rea — — — — Master of the — Barque — called the Charlotte — — — — who having heretofore, to wit, on the ——— day of the date hereof — noted before me Notary — — —

for the uses therein set forth his **PROTEST,** in due form of law; now requires me, NOTARY, to extend said PROTEST, and with the said William Rea, Master, ALSO CAME AND APPEARED James Dick first mate, Alexander McLeish second mate, Thomas Aitchison, Carpenter, Charles James Watson, Seaman, David Macintosh Cook, & James McBay & William Mann, Seamen, all belonging to the said Barque Charlotte — — all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows—that is to say, that he, the said William Rea — — — departed in and with the said Barque Charlotte as Master — — — thereof from the Port of New-Orleans having on board a CARGO of Cotton and Staves — — — and bound for the Port of Liverpool, England — that the said Barque — — was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, apparelled and appointed; and was in every respect fitted for the voyage she was about to undertake:

That on the Twenty eighth day of July last at 8:30 P.M. proceeded down the River Mississippi in tow of the Steamer Rescue until the Succeeding day at 11. A.M. when they came to anchor off the Telegraph Station, waiting for water on the Bar, and there remained until the Thirty first of July, on which day at 10 A.M. the Pilot came on board the Barque and the Steam Tug Brats Ocean and Mary Kingsland came and made fast alongside in order to tow the Barque over the Bar — got under weigh

and proceeded down to the Bar ;— at 10. 45. as the Ship was Crossing the Bar Fire was observed in the Main Top from one of the Tow Boats which gave the alarm ;— James Mc Bay, Seaman, had been sent up aloft to loose the yard Arm gaskets of the Main Top Sail so as to be ready for setting when over the Bar, he was in the act of loosing the Sail but did not observe the Fire until hearing the alarm from the Tow Boat ;— At the instant fire being reported the Master ordered the Second Mate to go in the Top, going there himself at the same time ;— and giving Orders to the First Mate ~~and the~~ with the Men to supply water ;— which was done with every exertion possible ;— yet with all the Exertions the fire gained on them — setting fire to Sails & Riggings and extending ~~beyond~~ beyond their reach ; when the Master and others Came down ;— Part of the Larboard side of Main Rigging being gone and main Top all in flames and expecting the Main Mast to fall every Moment ;— The ~~steam~~ Steam Boats & Pilot left the vessel, and then they brought her to Anchor to bring her head to the Wind to prevent the Fire going forward owing to the Cotton ~~being~~ on deck being before the Main Mast, and at the same time Cutting the Starboard Main Rigging & Stays to allow the Mast to fall ;— it being impossible to get it out away being surrounded with Fire ;— also done every possible exertion to extinguish the fire from the Cotton on deck, which was gaining ~~on~~ ~~the~~ fast on them,

At noon, being in a Mass of Fire and the Tow Boats bending their boats to the wreck, all of those on board left the Barque; — at about 2 P. M. the Steam Boats Conquerr and Ocean went alongside to try to extinguish the Fire and save part of the Cargo and at about 4. the Steam Boats left the Barque without ~~success~~ having had any effect on the Fire and proceeded up to the Telegraph Station; — At the time of leaving the Barque, the decks and Beams from the Main Mast aft and part of top sides were entirely burnt and the rest of the ship all in flame — and in a Condition to make her preservation wholly impossible —

AND THE SAID William Rea, Master further says, that all the *damage* and *injury* which already has, or may hereafter appear to have happened or accrued to the said Barque or her said CARGO, has been occasioned solely by the circumstances before stated, and cannot nor ought not to be attributed to any insufficiency of the said Barque or default of him, the deponent, nor of his officers and crew: Whereupon, he requires me, NOTARY, aforesaid, to make his PROTEST, and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. AND THEREUPON, the said William Rea — doth PROTEST, and I, the said NOTARY, at his instance and request, do, by *these Presents*, PUBLICLY AND SOLEMNLY PROTEST, against Winds, Weather, and particularly against Fire by which the said Barque Charlotte was destroyed

and against every accident, matter or thing, had, and met with as aforesaid, whereby, or through means of which the said Barque or her Cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages and injury which the said Barque the owner or owners of the said Barque or the owners, freighters, or shippers of her said Cargo, or any other person or persons interested or concerned in either, already have, or may hereafter pay, sustain, incur, or be put into by or on account of the premises; or for which the Insurer or Insurers of the said Barque — or her Cargo, is, or are, respectively liable to pay or make good by contribution or

average according to custom, or their respective contracts or obligations; and that no part of such losses or expenses already incurred, or hereafter to be incurred, do fall on him the said William Rea, master, his officers and crew.

THUS DONE, at my office in the City of New-Orleans, aforesaid, this Second day of August in the year one thousand eight hundred and fifty two in the presence of Edmond Simon Malne and F. Edmond Malne competent Witnesses who hereunto sign their names, with said Appearers, and me, Notary.

C. Thuantlalus

Ed Malne

William Rea

James Dick

Alexander A. Leech

Thomas Hitchison

Charles James Baton

David Masonchie

James McCay

William X Mason
his mark

Wm Claiborne

N. Pitt

No. 138
N. O. 20 August 1852
Protest Extended
Barque *Charlotte*
William Rea Master

United States of America,
State of Louisiana – Parish of Orleans
City of New Orleans

By this Public Instrument of Protest, **BE IT KNOWN,** THAT BEFORE ME, **JOHN CLAIBORNE,** a Notary Public, duly commissioned and sworn, in and for the Parish of New Orleans, State of Louisiana, and dwelling in the CITY OF NEW ORLEANS,

Personally Came and Appeared, William Rea, Master of the Barque called the *Charlotte* who having heretofore, to wit, on the day of the date hereof, noted before me Notary, for the uses therein set forth his **PROTEST,** in due form of law; now requires me, Notary, to extend said **PROTEST,** and with the said William Rea, Master, Master, ALSO CAME AND APPEARED James Dick first mate, Alexander McLersh, second mate, Thurman Aitchison, Carpenter, Charles James Watson, seaman, David Maconochie, Cook, & James McBay & William Mason, seamen, all belonging to the said Barque *Charlotte* all of whom being by me first duly sworn according to law, do voluntarily, freely, and solemnly DECLARE AND DEPOSE as follows, that is to say, that he, the said William Rea departed in and with the said Barque *Charlotte* as Master thereof from the Port of New Orleans having on board a CARGO of Cotton and Staves and bound for the Port of Liverpool, England that the said Barque was then stout, staunch, strong; had her cargo well and sufficiently stowed and secured; was well masted, rigged, manned, tackled, victualled, appareled and appointed; and was in every respect fitted for the voyage she was about to undertake:

That on the Twenty eighth day of July last at 3:30 P.M. proceeded down the River Mississippi in tow of the Steamer *Porpoise* until the succeeding day at 11 A.M. when they came to anchor off the Telegraph Station, waiting for water on the Bar, and there remained until the Thirty first of July, on which day at 10 A.M. the Pilot came on board the Barque and the steamer Tow Boats *Ocean* and *Mary Kingsland* came

[Second page] and made fast alongside in order to tow the Barque over the Bar _ got under weigh and proceeded down to the Bar; at 10. 45 as the ship was crossing the Bar Fire was observed in the main Top from one of the Tow Boats which gave the alarm; _ James McBay, seaman, had been sent up aloft to loose the yard Arm gaskets of the main Top Sail so as to be ready for cutting when over the Bar, he was in the act of loosing the sail but did not observe the Fire until hearing the alarm from the Tow Boat; _ At the instant fire being reported the Master ordered the second mate to go in the Top, going there himself at the same time; _ and giving orders to the First Mate with the men to supply water, which was done with every exertion possible; _ yet with all the Exertions the fire gained on them _ setting fire to sails & Riggings and extending beyond their reach; then the Master and others came down; _ Part of the larboard side of Main Rigging being gone and main Top all in Flames and expecting the Main Mast to fall was immediately; _ The steam Boats & Pilot left the vessel, and then they brought her to anchor to bring her head to the Wind to prevent the fire going forward; _ [illegible] to the Cotton on deck being before the Main Mast, and at the same time cutting the starboard Main Rigging & Stays to allow the Mast to fall, _ it being impossible to get it out away being [illegible] with Fire; _ also some doing all possible exertion to extinguish the fire from the Cotton on deck, which was gaining fast on them,

[Third page] at noon, being in a Mass of Fire and the Tow Boats sending their boats to the wreck, all of those on board left the Barque; _ at about 2 P.M. the steam Boats *Conqueror* and *Ocean* went alongside to try to extinguish the Fire and save part of the Cargo and at about 4. the steam Boats left the Barque without having had any effect on the Fire and proceeded up to the Telegraph Station; _ At the time of leaving the Barque, the decks and Beams from the Main Mast and part of top [illegible] were entirely burnt and the rest of the ship all in flame _ and in a condition to make her preservation wholly impossible-

AND THE SAID, William Rea, Master further says, that all the *damage* and *injury* which already has or may hereafter appear to have happened or accrued to the said Barque or her said Cargo, have been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Barque, or default of him, the deponent, nor of his officers and crew: WHEREUPON, he requires me, the said NOTARY, aforesaid, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. AND THREUPON, the said William Rea doth PROTEST, and I, the said Notary, at his instance and request, do, by these presents, PUBLICLY AND SOLEMNELY PROTEST, against Winds, Weather, and particularly against Fire by which the said Barque *Charlotte* was destroyed and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Barque or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said Barque the owner or owners of the said Barque or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the Insurer or Insurers of the said Barque or her Cargo, is, or are, respectively liable to pay or make contribution or

[Fourth page] average, according to custom, or to their respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said William Rea, Master, his officers and crew.

THUS DONE, at my office, in the said City of New Orleans, this Second day of August in the year one thousand eight hundred and fifty two in the presence of Edmond Florian Malus and J. Edmond Malus, competent Witnesses, who hereunto sign their names, with said Appearers and me, Notary.

[Signatures] E. Florian Malus, Ed Malus, William Rea, James Dick, Alexander McLersh, Thurman Aitchison, Charles James Watson, David Maconochie, James McBay,
William “X” Mason

No. 166.

New Orleans, 23. July 1853

Registration of a Copy of the Protest of

the Schooner "Martha Jane,"

at the request of

Thomas A. Adams Esq.

State of Louisiana,

Parish of Orleans and city of New Orleans.

Be it Known That on this Twenty third day of July One thousand Eight hundred and Fifty three,

Before me John Claiborne, a Notary Public in the city of New Orleans, duly commissioned and sworn for this Parish of Orleans, and in presence of the undersigned Witnesses,

Personally came and appeared Thomas A. Adams Esquire, of the city, the President of the "Crescent Mutual Insurance Company", of this city, Who, having produced and exhibited unto me Notary a certain Document or Instrument of writing drawn up in the English Language and purporting to be a Certified Copy of the Protest extended of the Schooner "Martha Jane" executed and made on the Twenty sixth day of April last past before John B. Satterthwaite, a Public Notary at the city of New York, requested me Notary to enregister the said Document in extenso among my Notarial Records to serve in case of Need;

And complying with said request, I, the said Notary did proceed to make herein by way of Registration a true and faithful copy of the said Document which is in the words and figures following, to wit:

United States of America

State of New York }
City of New York } ss.

To all people to whom these presents shall come or may concern:

I, John B. Satterthwaite a Public Notary, in and for the State of New York, by Letters Patent under the Great Seal of the said State, duly commissioned and sworn, dwelling in the City of New York,

Send Greeting:

Know Ye, that on the Seventh day of April in the year of our Lord One thousand Eight hundred and Fifty three before Joseph T. Saunders U.S. Consular Agent at Aracas, appeared A. B. Judson of the Schooner called the Martha Jane and noted in due form of law with the said Protest, for the uses and purposes hereafter mentioned; And now at this day, to wit: the day of the date hereof, before me, the said Notary, at the city of New York aforesaid, again come the said A. B. Judson and requires me to extend his Protest, and together with the said A. B. Judson also come Thomas Chase, William Higgins, belonging to the aforesaid , all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely and solemnly do declare and depose as follows, that is to say that on the 26th day of March last past, he, the said

" Set Sail, and departed in and with the said Schooner as master thereof, from
" Savannah having on board the said Schooner a Cargo of Merchandise and bound for the
" Port of New Orleans. That the said Schooner was then staunch, strong, had her
" Cargo well and sufficiently stowed and secured, was well masted, manned, tackled, victualled,
" apparelled and appointed, and was in every respect fit for sea and the voyage she was about
" to undertake; Which proceeded upon without any thing material occurring, the weather
" being, at times equally, making and taking in sail as occasion required, until the 29th
" March, which began with fresh gales from the N. E. and dark cloudy weather accompanied
" with some squalls, at 6 P.M. veered the Topsail and Mainsail took in the flying jib, —
" At half past 12 the Schooner struck on a Coral Reef, at which time there was no appea-
" rance of land. A good look out was kept, cleared away the Larboard Anchor, and
" let it go. Every possible means and exertion was used to get the vessel off, but without success, —
" At 8 A.M. the next morning Wreckers came on board and commenced taking out the
" Cargo, and saving every thing that was possible. — Latter part of the day fresh gales —
" Wreckers engaged discharging Cargo — Vessel beating very hard. — On the 30th Commen-
" ced with fresh breezes from the E.N.E. attended with some squalls — The Wreckers engaged
" in trying to save whatever possible — At 11 o'clock p.m. the Vessel hoted down on her
" beam ends — Cut away the Spars to save the remainder of the Cargo, as well as the
" lives of the Crew — Wreckers still employed on board; Appearer further says that seeing
" no possibility of saving the Vessel, himself and Crew abandoned the same to the Wreckers
" on the morning of the 31st March 1853. _____

" And the said A. S. Judson further says that, as all the damage and injury which already
" has or may hereafter appear to have happened or accrued to the said Sch. Martha Jane or
" her said Cargo, has been occasioned solely by the Circumstances hereinbefore stated, and cannot nor
" ought not to be attributed to any insufficiency of the said Schooner or default of him, the deponent
" his officers or crew; he now requires me, the said Notary, to make his Protest and the further
" act thereof, that the same may serve and be of full force and value as of right shall appertain.
" And thereupon the said A. S. Judson doth protest; and I, the said Notary, at his special
" instance and request, do by these presents publicly and solemnly protest against winds, weather
" and seas and against all and every accident, matter and thing had and met with as aforesaid,
" whereby or by means whereof the said Sch. or her Cargo already has or hereafter shall
" appear to have suffered or sustained damage or injury, for all losses, costs, charges, ex-
" penses, damages and injury which the said Sch. the owner or owners of the said Sch. or
" the owners, freighters or shippers of her said Cargo, or any other person or persons interested
" or concerned in either, already have or may hereafter pay, sustain, incur or be put
" to by or on account of the premises, or for which the owner or owners of the said
" Sch. or her Cargo, is or are respectively liable to pay or make Contribution or average
" according to Custom, or their respective Contracts or obligations; And that no part of losses
" losses and expenses already incurred, or hereafter to be incurred, do fall on him the
" said A. S. Judson, his officers or Crew. _____

Thus Done and Protested in the city of New York, this Twenty sixth day of April in the year of our Lord One thousand eight hundred and fifty three.

In Testimony whereof, as well the said appearers, as I, the Notary, have subscribed these presents, and I have also caused my seal of Office to be hereunto affixed, the day and year last above written.

A. S. Judson Mr.

Thomas Clare Mate

William Higgins Seaman

John B. Satterthwaite

Not. Pub.

City and County of New York. } ss.

I, J. B. Satterthwaite a Public Notary in and for said City and County duly commissioned and sworn, dwelling in said City, do certify the foregoing to be a true and exact copy of an Original Protest on record in my office.

In Testimony whereof, I hereunto set my hand and Notarial Seal, this 26 day of April One thousand eight hundred and fifty three.

John B. Satterthwaite.

John B. Satterthwaite New York. Notary Public

And having now carefully compared and collated the aforesaid Original Document with the foregoing transcript thereof and having found the same to correspond in every respect, I, the said Notary, did return the said Document to the said appearer who hereby acknowledges receipt and possession thereof.

Thus Done and Registered in my office, at the city of New Orleans, on the day, month and year first above written in the presence of Edmond Florian Malus and William Albert Edwards, Competent Witnesses, who have hereunto signed their names together with the said appearer and the Notary.

Thos A Seamd
Pres

F. Malus

Wm. Edwards

Wm Claiborne
Not Pub

No. 106
New Orleans, 23 August 1853
Registration of a Copy of the Protest of
The Schooner *Martha Jane*,
At the request of
Thomas A. Adams Prest. [President]

State of Louisiana,
Parish of Orleans and City of New Orleans

Be it known That on this Twenty third day of July, one thousand eight hundred and fifty three,

Before me, John Claiborne, a Notary Public, in this city of New Orleans, duly commissioned and sworn for this Parish of Orleans, and in presence of the undersigned Witnesses,

Personally came and appeared Thomas A. Adams Esquire, of this city, the President of the "Crescent Mutual Insurance Company", of this city, Who having produced and exhibited unto me Notary a certain document or Instrument of writing drawn up in the English Language and purposing to be a Certified Copy of the Protest extended of the Schooner *"Martha Jane"* executed and made on the Twenty sixth day of April last past before John B. Latterthwait, a Public Notary at the city of New York, requested me Notary to reregister the said Document in extender among my Notarial Records to serve in case of need;

And complying with said request, I, the said Notary did proceed to make hereon by way of Registration a true and faithful copy of the said Document which is in the records and figures following, to wit:

United State of America
State of New York}
City of New York}

To all people to whom these presents shall come or may concern: I, John B. Latterthwait, a Public Notary, in and for the State of New York, by Letters Patent under the Great Seal of the said state, duly commissioned and sworn, dwelling in the City of New York, Send Greeting:

Know Ye, that on the Fifteenth day of April in the year of our Lord One thousand Eight hundred and fifty three before Joseph T. Landers W. S. Counselor Agent at Abco, appeared R. S. Judson of the Schooner called the *Martha Jane* and noted in due form of law with the said this Protest, for the uses and purpose hereafter mentioned; And now at this day to wit: the day of the date hereof, before me, the said Notary, at the city of New York aforesaid, again come the said A. S. Judson and requires me to extend his Protest, and together with the said R. S. Judson also came Thomas Claire, William Higgins, belonging to the aforesaid [blank], all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely and solemnly do declare and depose as follows, that is to say that on the 26th day of March last past, he, the said [blank space]

[Second page] Set sail and departed in and with the said Schooner as Master thereof, from Savannah having on board the said Schooner a Cargo of Merchandise and bound for the Port of New Orleans, that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured, was well masted, manned, tackled, victualled, appareled, and appointed, and was in every respect fit for the voyage she was about to undertake: Which he proceeded upon without any thing material occurring, the weather being, at times squally,

making and taking in sail as occasion required, until 29th March, which began with fresh gales from the N. E. and dark cloudy weather accompanied with rain squalls, at 6 P.M. reefed the Topsail and Mainsail Took in the Flying Jib, At half past 12 the Schooner struck on a Coral Reef, at which time there was no appearance of land. A good look out was kept, cleared away the Larboard Anchor, and let it go. Every possible means and exertion was used to get the vessel off, but without success; At 8 A.M. the next morning Wreckers came on board and commenced taking out the Cargo, and saving every thing that was possible. Latter part of the day fresh gales_ Wreckers engaged discharging Cargo_ Vessel Beating very hard. _ On the 30th Commenced with fresh breezes from the S.W.E. attended with rain squalls_ The wreckers engaged in trying to save whatever possible _ At 11 o'clock p.m. the Vessel listed down on her beam ends _ Cut away the spars to save the remainder of the Cargo, as well as the lives of the Crew_ Wreckers still employed on board; Appearer further says that seeing no possibility of saving the Vessel, himself and Crew abandoned the same to the Wreckers on the morning of the 31st March 1853.

And the said A. S. Judson further says that, all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Sch. *Martha Jane* or her said Cargo, have been occasioned solely by the circumstances before stated and cannot nor ought not to be attributed to any insufficiency of the said Schooner or default of him, this deponent, his officers or crew; he now requires me, the said Notary, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain.

And thereupon the said A. S. Judson doth PROTEST, and I, the said Notary, at his special instance and request do, by these presents, Publicly and Solemnly Protest against winds, weather, and seas, and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Sch. or her Cargo, already has, or hereafter shall appear to have suffered on sustained damage or injury, for all losses, costs, charges, expenses, damage and injury, which the said Sch. the owner or owners of the said Sch. or the owners, freighters or shippers of her said Cargo, or any other person or persons interested or concerned in either already have or may hereafter pay, sustain, incur or has part unto, by or on account of the said premises, or for which the insurer or insurers of the said Sch. or her Cargo, is or are respectively liable to pay, or make contribution or average, according to custom or to their respective contracts or obligations; and that no part of any such losses and expenses already incurred or which may be hereafter incurred, do fall on him the said A. S. Judson, his officers or crew.

[Third page] Thus Done and Protested, in the city of New York, this Twenty sixth day of April in the year of our Lord One thousand eight hundred and fifty three.

In Testimony whereof, as well the said appearers, as, I, the Notary, have subscribed these present, and I have also caused my seal of Office to be hereunto affirmed, the day and year last above mention.

A. S. Judson Mst.	John B. Latterthwaite
Thomas Chin Mate	Not. Pub.
William Higgins Seaman	

City and County of New York}

I, J. B. Latterthwaite, a Public Notary in and for said City and County duly commissioned and sworn, dwelling in said City, do certify the foregoing to be a true and exact copy of an original Protest on record in my office.

In Testimony whereof, I hereunto set my hand and Notarial seal, this 26 day of April One thousand eight hundred and Fifty three.

John B. Latterthwaite

And having now carefully compared and collated the aforesaid original Document with the foregoing transcript thereof and having found the same to correspond in every respect, I, the said Notary did return the said Document to the said appearer who herby acknowledges receipt and permission thereof.

Thus Done and Register in my office, at the city of New Orleans, on the day, month and year first above mentioned in the presence of Edmond Florian Malus and William Albert Edwards, Competent Witnesses, who have hereunto signed their names together with the said appearer and me Notary.

[Signatures] Florian Malus, Wm Edwards, Thos A Adams, Prest., Wm Claiborne, Not. Pub.

No. 86

By this public instrument of Protest, Be it known that on this eleventh day of December in the year of Our Lord one thousand eight hundred and twenty six and the fifty first of the independance of the United States of America, Before me John Nicholas Deneux notary public in and for the Parish and city of New Orleans duly commissioned and sworn and in the presence of the Witnesses hereinafter named and undersigned

Personally came Charles Down, master of the Flat-boat Washington from the Port of Portland Kentucky bound to the port of New-Orleans, laden with flour and Bacon, Who after protesting an Entry of Protest made before Will Irvine Justice of the peace for Shelby ~~County~~ county (Tenessee) stating the loss of said flat boat by an unavoidable accident he the said Appearer required on the notary to reduce his Salvation and to make this day protest, accordingly he the said appearer after being duly sworn declared and says: That on the thirty first day of September last past he set off from Portland on board the aforesaid Flatboat Washington, bound directly for this Port, and that the boat in the prosecution of her voyage, by an unavoidable accident, and in despite of the exertions of the said captain and his crew, ran against a Snag at the foot of the Rear-ground in the Mississippi River, at about Seven o'clock P. M on the Sixth day of November last past, and Sunk; and that he the said appearer after by his crew did all in their power to save the Boat and Cargo and that he did save from the Wreck the greater part of the Cargo in a Damaged State which he delivered to Thomas H Townsley the consignee at New orleans with the exception of about six barrels of Flour entirely lost together with the boat which he was unable to save. That within three days after the accident and before the first magistrate he could find he together with his Crew made the aforesaid entry of Protest. And the said appearer did further declare that the said boat at the time of her Departure from Portland was fast repair[illegible] and was well and sufficiently manned and [illegible] provided and furnished with all things necessary for the said voyage, and that during the said voyage the said

appearer and his Crew did use their utmost endeavours to preserve the said boat and Cargo from Damage And Therefore the said Charles Doune did declare to protest and by these presents he doth solemnly protest against all and every person or persons whom it shall or may concern And doth declare that all Damage, loss and detriments that have happened to the said Boat and the Goods after loading on and ought to be borne by the merchants and freighters interested or whomsoever it shall or may concern; the same having occurred as before mentioned and not by or through the neglect of the said appearer or any of his Crew.

And also personally came and appeared John Fernel, William Shannon, John Farquar, and Robert Oliver, hands on board of aforesaid flat Boat Washington Who being duly sworn upon the holy Evangelists of Almighty God, do severally make oath and say That the foregoing instrument of protest has been clearly and distinctly read over to them and That the several matters and things therein contained are right and true in all respects as the same are therein particularly alleged, declared and set forth

Sworn and protested at New Orleans in my office the day and year first above written in the presence of Hilary B. Canas, and Louis H. Fraud both Witnesses hereto required who have signed hereunto together with me said notary and the appearers after reading the whole; except W. Shannon who declared that he cannot write his name and he made his ordinary mark

Charles Doune
Jno. Fernell
William X Shannon
John Farquar
Robt. Oliver
L. H. Fraud
H. B. Canas
J. N. Duncan
Not. Pub

No. 86

[85] By this public instrument of Protest, Be it known that on this eleventh Day of December in the year of Our Lord one thousand eight hundred and twenty six and the fifty first of the of the independence of the United States of America, Before me John Nicholson Duncan, notary public in and of the parish and city of New Orleans, Duly commissioned and sworn and in the presence of the witnesses hereinafter named and undersigned.

Personally came Charles Rouse, master of the flat boat Washington from the Port of Portland, Kentucky bound to the port of New Orleans, laden with flour and Bacon, who after presenting on Entry of Protest, made before Will Ervin, Justice of the peace for Shelby County (Tenessee) stating the loss of said flat boat by a unavoidable accident, he the said Appearer requested me the Notary to receive his declaration and to make this his protest; accordingly he the said appearer after being Duly sworn Declared and Says: That on the Thirty first Day of September last past he set off from Portland on board the aforesaid Flat boat Washington, bound Directly for this Port, and That The boat in the production of her voyage, by an unavoidable accident, and in spite of the exertions of the said captain and his crew, ran against a snag at the foot of the Race-ground in the Mississippi River, at Seven o'clock P.M. on the Sixth Day November last past, and sunk; and That he the said appearer assisted by his crew did all in their power to save the Boat and Cargo in a Damaged State which they Delivered to Thomas F. Townsley the consignee at New Orleans with the exception of about six barrels of flour entirely left together with the boat which he was unable to save. That within three Days after the accident and before the first magistrate he could find he together with his crew made the aforesaid entry of protest and the said appearers did further declare that the said boat at the time of her Departure from Portland aforesaid [illegible] [illegible] intended voyage was light staunch, and [illegible] and was well and sufficiently manned, provided and furnished with all things necessary for the said voyage; and that during the said voyage, the said

[Second page] appearer and his crew did their utmost and endeavours to preserve the said boat and cargo from Damage And Therefore, the said Charles Rouse did Declare to protest and by these presents he Doth Solemnly Protest against all and every person or persons whom it shall or may concern and doth Declare that all Damages losses and Detriments that have happened to the said Boat and the Goods after loading are and ought to be borne by the merchants, and freighters interested or whomsoever else it shall or may concern; the same having occurred as before mentioned and not by or through the neglect of the said appearer or any of his crew.

And also personally came and appeared John Fainel, William Shannon, John Farquar, and Robert Oliver, hands on board of aforesaid flat Boat Washington who being Duly Sworn upon the holy Evangelists of Almighty God, do Severally make oath and say That the forgoing instrument of protest has been clearly and distinctly read over to the [illegible] That the several matters and things therein contained are right and true in all respects and the same are therein particularly alleged, declared and set forth.

Thus Done and protested at New Orleans in my office the Day and Year first above written in the presence of Hilary B. Cenas, and Louis H. Feraund both witnesses hereto required who have signed hereunto together with me, said notary and the appearer & after reading the whole excerpt W. Shannon who declared that he could not write his name and he has made his [illegible] mark

[Signatures] Charles D Rouse, Mr. J Fainell, W "X" Shannon, John Farquar, Robt. Oliver, L. H. Feraund, H. Cenas, J. N. Duncan Jr, Not Pub

No 10
22d January 1828.

Protest of the Flat Boat No one — Capt. Hutchison.

State of Louisiana
City of New-Orleans,

17

By this Public Instrument of Protest — Be it Known that upon this twenty second day of January A.D. one Thousand eight hundred & Twenty eight — Before me John Nicholson Duncan, Notary Public in and for the Parish & City of New Orleans — duly commissioned & sworn, and in presence of the witnesses hereinafter named & undersigned Personally came & appeared Manoah Hutchison who, after presenting an Entry of Protest passed before Hartwell Vick Esq. a Justice of the Peace for the County of Warren state of Mississippi dated the Nineteenth day of this current month of January — Requested me the Notary to receive his declaration and extend his protest — Accordingly he the appearer being duly sworn declares & says That he was Master of the flat Boat called No one — that upon the eleventh day of Dec. last past he departed on board said Boat from Greensburgh in the State of Kentucky bound to this Port — laden with tobacco — Nota — To wit. Thirty Hogsheads to J. & T. Aiken four Hogsheads to P. B. Atwood three Hogsheads and Sixty two Kegs to Elijah Crul, One hundred boxes & fifty Kegs to Daniel Brown — and twelve Kegs to Thomas H. Harris, To be delivered (with the exception of twenty five Boxes) in good order and condition, at this City of New-Orleans, the dangers of the River excepted: and that the Boat in the prosecution of her voyage, upon

the thirteenth day of January (Current) at or about
eleven o'clock P.M. by an unavoidable accident
was sunk at the moment of coming to, for the
night - that at the time & for some days previous he
was in company with & lashed to another flat
Boat commanded by Capt. Rife of Greensburgh
& consigned to Foster & Hatton of this City - that
in bringing the boat to - the Bow lashing gave
way or parted - his (the appearers) boat "swung
round" the stern lashing carried away the
stern of the aforesaid flat Boat No. one - and
she sunk - at the foot of the Islands 101. and
102 in the Mississippi River. That he the said
appearer assisted by his crew - did all in their
power to save the Boat & Cargo - and that
he did save from the wreck the greater part
of the Cargo in a damaged state - that
he shipped the same, on Board the steam Boat
Crusader three days after the accident - which
is now landing at the Levee and ready to
be delivered to the consignees - with the exception
of three Boxes of Tobacco, entirely lost. - That within
six days after the accident & before the first Justice
of the Peace or Magistrate, he could find, he
together with his crew made the above men-
tioned Entry of Protest. And the appearer fur-
ther declares that the aforesaid flat Boat
at the time of her departure from Greensburgh
upon her intended voyage - was tight, staunch
and strong - and was well and sufficiently
manned, provided & furnished with all
things necessary & useful for the said voyage

and that during the said voyage, he the said appearer and his crew - did use their utmost endeavors to preserve the said Boat and Cargo from damage: And Therefore, the said Manoah L. Hutchison Did declare to Protest - and by these presents Doth solemnly Protest, against all and every person or persons whom it shall or may concern - and doth declare that all damages, losses and detriments, that have happened to the aforesaid Boat and the goods of her lading - are and ought to be borne by the merchants and freighters interested, or whom=soever else it may Concern - the same having occurred as before mentioned - and not by or through the neglect of said appearer or any of his Crew _____ And also Came John O'Connell & William Tucker - hands on board said Boat from the time of her departure from Greensburgh until said Boat was sunk - who being duly sworn do Severally make Oath and Say that the foregoing instrument of Protest has been clearly & distinctly read over to them - and that the several matters & things - therein stated - are right and true in all respects - as the same are therein particularly alleged and set forth. _____

Thus Done and protested at my office in the City of New Orleans - upon the day, month and year, first above written, in presence of Edward A Shipman and Albert de Armas witnesses who hereunto subscribe their names together with the appearers and with me the Notary -

J. T. & T. Hilton. P. B. Atwood. Elijah Greel - Daniel Brown and Thomas H. Harris. are the owners of the several quantities of Tobacco mentioned above.

Nota. j. one word. erased null - X do erased null.

Albert De Armas — Manoah L. Hutchison

E A Shipman — John O Connell

J. N. Duncan Not. Pub — Wm. Tucker

No 10
22nd January 1828
Protest of the flat Boat
No One
Captain Hutch

State of Louisiana
City of New Orleans

[17] By this Public Instrument of Protest _ Be it Known that up on this Twenty second day of January AD one Thousand Eight hundred & Twenty Eight_ Before me John Nicholson Duncan, Notary Public in and for the Parish & City of New Orleans _ duly commissioned & sworn, and in presence of the witnesses hereinafter named & are assigned, Personally came & appeared Manoah Hutchison who, after presenting an Entry of Protest [illegible] before Hartwell Vick Esqr a Justice of the Peace for the County of Warren, state of Mississippi, dated the Nineteenth day of this Current month of January _ Requested me the Notary to receive his declaration and extend his protest_ Accordingly, he the appearer, being duly sworn declares & says That he was Master of the flat Boat called No. One_ that upon the Eleventh day of Decr [December] last past he departed on board said Boat from Greensburgh in the state of Kentucky bound to this Port_ laden with tobacco_: To wit, Thirty Hogsheads to J. & T. Aiken, four Hogshead to P. B. Atwood, three Hogsheads and sixty five Kegs to Elijah Creel, one hundred boxes & fifty Kegs to Daniel Brown_ and twelve Kegs to Thomas H. Harris, To be delivered (with the exception of twenty five Boxes) in good order and condition, at this City of New Orleans, the dangers of the River excepted: and that the Boat in the prosecution of her voyage, upon the thirteenth day of January (current) at or about Seven o'clock P. M. by an unavoidable accident was sunk at the moment of coming to, for the night_ that at the time & for some days previous he was in company with & lashed to another flat Boat, commanded by Captn Rife of Greensburgh & consigned to Foster & Hutton of this City_ that in bringing the boats to _ the Bow lashing "gave way" or parted _ his (the appearer) boat "swung round" the stern lashing carried away the stern of the aforesaid flat Boat No One_ and She Sunk _ at the foot of the Islands 101 and 102 in the Mississippi River. That he the said appearer assisted by his crew did all in their power to save the Boat & Cargo and that he did save from the wreck the greater part of the Cargo in a damaged state _ that he shipped the same on Board the Steam Boat *Crusader*, three days after the accident _ which is now landing at the Levee and ready to be delivered to the consignees, with the exception of three Boxes of Tobacco, entirely lost: That within six days after the accident & before the first Justice of the Peace or Magistrate, he could find, he together with his crew made the above mentioned Entry of Protest: and the appearer further declares that the aforesaid flat Boat at the time of her departure from Greensburgh upon her intended voyage was tight, staunch and strong and was well and sufficiently manned, provided & furnished with all things necessary & useful for the said voyage

[18] and that during the said voyage, he the said appearer and his crew did use their utmost endeavors to preserve the said Boat and Cargo. L. Hutchison Did declare to Protest and by these presents Doth Solemnly Protest against all and every person or persons whom it shall or may concern, and doth declare that all damages, losses and detriments that have happened to the aforesaid Boat and the goods of her lading are and ought to be borne by the merchants and freighters interested, or whomsoever else it may concern, the same having occurred as before mentioned and not by or through the neglect of said appearer or any of his Crew. And also Came John O'Connell & William Tucker, hands on board said Boat from the time of her departure from Greensburgh until said Boat was sunk, who being duly sworn, do severally make oath and say that the foregoing instrument of Protest has been clearly & distinctly read over to them and

that the several matters & things therein stated are right and true I all respects as the same are therein particularly alleged and set forth.

Thus Done and protested at my office in this City of New Orleans upon the day, month and year first above written, in presence of Edward A. Shipman and Albert de Armas witnesses who hereunto subscribe their names together with the appearers and with me the Notary. :/: J & T Aiken, P. B. Atwood, Elijah Creel, Daniel Brown and Thomas H. Harris: are the owners of the several quantities of Tobacco mentioned above.

[Signatures] Albert Du Armas, E A Shipman, Manoah L. Hutchison, John O'Connell, W. Tucker, J. N. Duncan, Not. Pub.

181

Nous soussigné Consul de France par Interim a la Nle Orleans certifions sincere, veritable et conforme a l'original, la copie du procès verbal dont la transcription est ci dessus, lequel original Deposé dans notre office

En foi de quoi et sur la demande du sieur John David ci devant le subrecarge du brig Espagnol La Conception, Nous avons delivré cette presente Copie sous notre seing ordinaire, le Contre seing du Chancelier de ce consulat et le timbre Ordinaire de notre office, a la Nlle Orleans le quatorze fevrier Mille huit cent onze

Le consul de France par
Interim
Porée
Par le consul
Le Chancelier du Consulat
Laporte

I Geo: I Rofs Notary public in and for the city of New Orleans duly qualified and commissioned as such do hereby certify that I am well acquainted with the Signature of Mr Porée French Consul pro tempore and verily believe the Signature to this Instrument of writing to be his hand writing, in Testimony whereof, I have hereunto set my hand and affix my Notarial Seal this Seventeenth day of February Eighteen hundred and Eleven and of the Independance of the United States the thirty fifth and which Instrument, I have recorded in my Notarial Register page 180 vol 1st at the request of John David

Copy

~~Recorded~~ at the request of
Jno David

Geo: I Rofs
Not Pub

Copy

We the subscribers Captain, Officers & Sailors of the brig La Vengeance

Certify

That on the twenty third day of January one thousand

Eight hundred and Eleven, being on our voyage for a Bruis, we have been overtaken on the nights of the 22.d & 23.d by a violent storm and Gale of wind from the N. E. which compelled us to make for a Harbour along the Coast of Louisiana and having come to an anchor ~~off~~ this morning off the Ile of Breton we have observed our brig Conception ashore on the Island Grand Gosier and having sent in the afternoon to examine her we found her Bilged and full of water — and whereas we are desirous of justifying ourselves to our Consul of France representing our Government in New Orleans to prove our disposition not to commit a breach of the laws of the United States in any manner whatsoever, we have extended the present proces verbal in which we have stated nothing but the facts.

Done on Board of the said Privater at anchor off the Island of Breton the day and Year aforesaid

Signed Q.ue Biron A Garrican 2.d Capt Lomnié 1.st Lieut Durand Estand 2 Lt Audral signing as secretary for those who could not write

Consulat of France at the City of New Orleans

We the Subscriber french Consul protem ? for the French Government at New Orleans hereby Certify the above to be a faithful Copy of the proces verbal the original being deposited in our office In testimony whereof and at the request of John Davia formerly Supercargo of the Spanish Brig Conception we have delivered the present Copy signed with our hand and countersigned by the Chancellor of the Consulate and sealed with the seal of our office in New Orleans this fourteenth day of Feby one Thousand Eight hundred and Eleven

The French Consul protempore
Poré

By the Consul the Chancellor of the Consulate Laporte

[First two paragraphs in French regards the verification of the copy from the original document, and is translated in the last paragraph of the document]

Theo J Ross Notary Public in and for the City of New Orleans duly qualified and commissioned as such do hereby Certify that I am well acquainted with the Signature of Mess. Purée's French Consul Pro tempore and verily believe the Signature to this Instrument of writing to be his hand writing, in Testimony whereof, I have heard and got my hand and offer my Notarial Seal this Fifteenth day of February, Eighteen hundred and Eleven and of the Independence of the United States the thirty fifth and which Instrument I have recorded in my Notarial Register page 180 vol 1st. at the request of John David-

At the request of Jn David_ GW: F. Ross, Not, Pub.

We the Subscribers & Captain Senior [illegible], Sailors of the Privateer *La Vengeance*, Certify That on this Twenty third day of January one Thousand

[182] Eight hundred and Eleven, being on our voyage for a Cruise, we have been overtaken on the night of the 22nd & 23rd by a violent storm and gale of wind from the N. E., which compelled us to make for a Harbour along the Coast of Louisiana and having come to an anchor this morning off the Isle of Breton, we have observed our brig *Conception* ashore on the Island of Grand Gosier and having sent in the afternoon to examine her we found her Bilged and full of water- And whereas we are desirous of justifying ourselves to our Consul of France representing our Government in New Orleans to prove our disposition not to commit a breach of the laws of the United States in any manner whatsoever, we have extended the present Proces verbal in which we have stated nothing but the facts.

Done on Board of the said Privateer at anchor off the Island of Breton the day and Year aforesaid

Signed D. que Diron, H Gaviscan 2nd Capt Lominé, 1st Lieut Durand, T. M. Tridral, Signing as Secretary for those who could not write.

Consulate of France at the City of New Orleans We the Subscriber French Consul protest for the French Government at New Orleans hereby Certify the above to be a faithful Copy of the process verbal the original being deposited in our office. In testimony whereof and at the request of John David formerly [illegible] cargo of the Spanish Brig *Conception* we have delivered the present Copy signed with our hand and countersigned by the Chancellor of the Consulate and Sealed with the Seal of our office in New Orleans this fourteenth day of Feby [sic] one Thousand Eight hundred and Eleven

The French Consul Protem
Pore´

By the Consul the Chancellor of the Consulate Laporte

No. 334
Rivers Protest.
Lemuel George
Patron of a
Flat-boat.
May 20.

By this Instrument of ~~Protestation~~ Protest, Be it known that on the Twentieth day of May in the year of Our Lord One Thousand Eight Hundred and Twenty-six, and Fiftieth of the Independence of the United States of America. Before me Hugh K. Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, personally appeared Lemuel George, patron of a certain Flat-boat, loaded with Cotton on the Tennessee River, bound for this Port, and Wiley Lewis & James French, ~~two of the~~ Hands employed in the navigation of said Boat. The said appearers being first at their own request duly sworn by me the Notary to declare the truth in the premises, declared and deposed as follows, to wit:

That the said Flat-boat was one of several Boats loaded by Messieurs Parker, Anderson, & Company, at Cotton Port and other landings on the Tennessee River, and had on board Three Hundred and Fifteen Bales of Cotton or thereabouts. That these deponents undertook the navigating and conducting of said Flat-boat, proceeding in company with several others, and nothing remarkable occurred on board until the fourth day of this current month of May, being then in the Ohio river about thirty miles above its junction with the Mississippi, when a strong gale of wind came on to blow from the westward, and in a direction nearly up the river. They approached the ~~left~~ right bank (being the nearest to them) to make a landing, but could not get close to the Bank for the timber. In the mean time the gale increased, and the waves rose very high, in which the boat laboured heavily and was much strained. At length the boat suddenly filled and sunk at her moorings in twelve feet water, having as they believe started a Plank in straining. In the night the gale abated and they dragged the boat further in shore and proceeded to discharge the cargo, having obtained about twenty extra hands from other boats near. When the cargo was discharged they found it impossible to raise the said Flat-boat to have her repaired. The said Patron then obtained freight and shipped two hundred and seventy-six Bales of said Cargo on board of the Steam-boat called the Coosa, and Forty-one bales on board of a ~~one of the said~~ Flat-boat belonging to ~~the Parker Anderson and Company~~ John Galt. Those deponents also made a declaration on oath of the substance of the foregoing before J. D. Wilcox, esquire, a Justice of the Peace in and for Johnson County, State of Illinois, where said accident occurred. And afterwards proceeded to this city, where they arrived this day.

Whereupon these appearers and particularly the said Patron declared a Protest, as by these presents with them & the said Notary do publickly and solemnly Protest against all persons whom the same may or doth concern, against the winds and waves and the dangers

dangers difficulties and obstructions of the River, and inevitable accidents of whatsoever nature and kind, for all loss, delay, damage and detriment suffered or to be suffered by for or on account of the said Flat-boat or the goods of her loading aforesaid; declaring the same to arise from the accidents above recited, and from no fault mismanagement or neglect of the said Patron or any other hands on board; that on the contrary, their utmost exertions, skill and judgements were used to preserve the property entrusted to their care and to accomplish said voyage.

Thus done and protested at the city of New Orleans aforesaid in the presence of Felix Brasal and William McCawley witnesses, who hereunto subscribe their names with the appearers & me the Notary. Nine words obliterated and Ten words interlined before signing & approved.

Samuel George

Wm McCawley R. K. Gordon Not. Pub.

Brasal

Wiley Davis

James M. French

A list of Cotton receipted from Samuel Georges flat Boat to the Steam Boat Coosa

GH	K HN	SW	CCL	TL	AT	WH	BL	PA	C WW	TS	BD	Donnel
19	9	15	60	31	2	26	27	39	1	6	23	
20	3	9	52	34	4	27	26	38	2	7	15	
17	8	16	64	29			25	37		9	28	
18	7	10	63	30			12	41		10	20	
	2	13	62	29	2	2			2	12	22	
4	5	5	50	32			4	4		4	13	
			53	33						8	27	
			61	28						5	16	
			57							8	29	
			51								26	
			58								35	
			52								34	
			55	8							18	
			48								33	
			49								30	
			65								21	
			47								32	
			36								17	
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											24	
											25	
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											14	
											37	
											19	
											38	
											36	
											27	

JN	MT	RWebb	SB	ID	SR	JD	TM	CS	CC
8	67	32	120	22	00	16	4	199	97
4	68	21		23	5	14			
1	69	27	1	20	2	15	1	1	
6	66	30			4	17			
2		25			1	18			
7	4	26		3	5	21			
5		26				6			
7		29							
		24							
		28							
		22							
		31							
		12							

JB	SCL
16	21
1	1

JC	GB	WC	TPW	C	HM	BD	PI	WE	SCP	SH
2	15	8	14	1	3	56	13	19	13	2
3		9	15		4	60	14	13	16	6
1		10	16			59	9	9	14	5
						55	12	11	17	3
3	1	3	3	1	2	54	11	1		
						58	8	8		4
						57		4		
								3		
							6	5		
						7		6		
JB	JJ	WV	JR	W	JR			2	XK	
								17		
1	13	5	5	1	5			15	43	
3	3	3	6	5	6			7	34	
2	16	2	4	4	4	K	J. Nichols	12	37	
5	12	1	10	10	2	III		10	31	
6	9	4	8	28	7		9	8	42	
	14		28	11	8	5		1	44	
5	5	5	11	3	1	4	1	17	27	
	1		9	5	3	3			40	
	15		5	15	4	1		19	38	
	6		17	13	9	2			11	
			13	16	10	6			39	
	10		16	12			AEA		35	
			21	6	11	6			49	
			6	14			3	K	23	
			14				2	EB	22	
				14			1		17	
			14					4	28	
							3	1	46	
	X							2	26	
	23							3	45	
	1							7	30	
								5	18	
									48	
									36	
									15	
									13	
									17	
									21	
									28	

the Marks of ~~three~~ and Numbers of ~~three~~ two bales of Cotton are obliterated.

314-1

I Ezra P. Willcox depose and declare that two hundred and seventy eight bales of cotton of the Marks and Numbers as follows were [illegible] under my inspection from the Steam Boat Coosa on about the twenty seventh day of May last being a part of the cargo of a flat boat commanded by Capt Lemuel George which had sunk in the Ohio River and being reshipped on board of said Steam boat as deponent heard from the said Capt George and from the Clerk of said steam boat — Said two hundred and seventy eight bales of Cotton were Marked as follows BH four bales, H/HM five bales, SW five bales, CCL nineteen bales, TL eight bales, AT two bales, WH two bales, RL four bales, PA four bales, WW two bales, TS eight bales, RDonnell twenty seven bales, JN seven bales MT four bales, RWebb twelve bales, SB one bale, ID three bales, SR five bales, JD six bales H/TM one bale, C&S one bale CC one bale, JB one bale, SCL one bale, JC three bales, CB one bale, TPW three bales, WC three bales, H/C one bale, H/M two bales, BD seven bales, PH six bales, WA nineteen bales SCP four bales, SH four bales, I/B five bales, JJ ten bales I/WV five bales, H/JR eleven bales, H/W fourteen bales, H/H six bales, J Nichols one bale, X one bale, AHA three bales, H/HB five bales, XK twenty eight bales, two bales have their Marks and Numbers obliterated, the bale SB after it was delivered was found to be SR there are several duplicate numbers, the

Sworn to & subscribed before me this 10th July 1826. J. Bernaudez associate judge of the city court of New Orleans

Ezra P. Willcox

No. 321
River Protest
Lemuel George
Patron of a
Flat-boat
May 20

[314] By this Instrument of Protest, Be it known that on this Twentieth day of May in the year of our Lord One Thousand Eight Hundred and Twenty-Six and Fiftieth of the Independence of the United States of America.

Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, personally appeared Lemuel George, patron of a certain Flat-boat loaded with Cotton on the Tennessee River, bound for this Post, and Wiley Lewis, & James French, Hands employed in the navigation of said Boat: The said appearers being first at their own requests duly sworn by me the said Notary, to declare the Truth in the premises, declared and deposed as follows, to wit:

That the said Flat-boat was one of several Boats loaded by Messieurs Parker, Anderson, & Company, at Cotton Port and other landings in the Tennessee River, and had on board Three Hundred and Fifteen Bales of Cotton or thereabouts. That these deponents under took the navigating and conducting of said Flat-boat, proceeding in company with several others, and nothing remarkable occurred on board until the fourth day of this current month of May, being then in the Ohio river about thirty miles above its junction with the Mississippi when a strong gale of wind came on to blow from the westward, and in a direction nearly up the river. They approached the right bank (being the nearest to them) to make a landing, but could not get close to the Bank for the timber. In the mean time the gale increased, and the waves rose very high, in which the boat laboured heavily and was much strained. At length the boat suddenly filled and sunk at her moorings in twelve feet water, having, as they believe started a Plank in straining. In the night the gale abated and they dragged the boat further in shore and rounded to discharge the cargo, having obtained about twenty extra hands from other boats near. When the cargo was discharged they found it impossible to raise the said Flat-boat to have her repaired. The said Patron then obtained freight and shipped two hundred and seventy-six Bales of said Cargo on board of the Steamboat called the *Coosa*, and Forty-one bales on board on board of a Flat-boat belonging to John Yalt. These deponents also made a declaration on both of the substances of the foregoing before J. D. Wilcox, esquire, a Justice of the Peace in and for Johnson County, state of Illinois, where said accident occurred. And afterwards proceeded to this city, where they arrived this day.

Whereupon these appearers and particularly the said Patron declared to Protest, as by these presents with him I the said Notary do publicly and solemnly Protest against all persons whom the same may or doth concern, against the winds and waves and the dangers difficulties and obstructions of the River, and inevitable accidents of whatsoever nature and kind, for all loss, delay, damage and detriment suffered or to be suffered by for or on account of the said Flat-boat or the goods of her loading aforesaid; declaring the same to arise from the accidents above recited, and from no fault mismanagement or neglect of him the said Patron or any of the hands on board; that on the contrary, their utmost exertions, skill and judgments were used to preserve the property entrusted to their care and to accomplish said voyage.

Thus done and protested at the city of New Orleans aforesaid in the presence of Felix Bravel and William McCawley witnesses, who hereunto subscribe their names with the appearers & me the Notary.

[Signatures] W McCawley, F Bravel, Hu. K. Gordon, Lemuel George, Wiley Lewis, James French

[The next two pages of the documents consists of "A list of Cotton reshipped from Lemuel George's flat Boat to the Steam Boat *Coosa*". The list has the cotton owners' marks and a tally of the number of cotton bales attributed to each owner- refer to document]

[Fifth page] I Ezra S. Willcox depose and declare that two hundred and seventy eight bales of Cotton of the Marks and Numbers as follows were carried under my inspection from the Steam Boat *Coosa* on or about the twenty seventh day of May last being a part of the cargo of a flat boat commanded by Capt Lemuel George which had sunk in the Ohio River and being reshipped on board of said Steam boat as deponent heard from the said Capt George and from the Clerk of said steam boat – said two hundred and seventy eight bales of Cotton were Marked as follows_

[The rest of the document lists the cotton owners marks and the number of bales of cotton that refer to above cargo list]

No 102

Steam Boat
vs
Rufus Putnam
et al

Protest

By this Instrument of Protest, Be it known that on this first day of March in the year of our Lord One Thousand Eight Hundred and Twenty six and Fifteenth of the Independence of the United States of America, — Before me Hugh K. Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, —

Personally appeared William B. Culver, late master of the Steam Boat called the Rufus Putnam of Marietta. —

The said appearer, being first at his own request duly sworn by me the said Notary, to declare the Truth in the premises, deposed and saith as follows, to wit:-

That he the said William B. Culver, as master aforesaid, and James Snell, the Pilot, and J. W. Criswell, the Chief Engineer, and a sufficient Crew, together with David G. Bates, the owner, and other Passengers, all sailed in and with the said Steam-boat, from this Port of New Orleans, — on the seventeenth day of December last past, she being loaded with cargo of Sugar, Coffee, Dry-goods and other sundry merchandises, — bound for a voyage up the river to Saint Louis in the State of Missouri. That nothing remarkable occurred on board until the night of the twenty-seventh of December last, being then near Point Chicot in the Territory of Arkansas, when, about three o'clock a. m. there being a low stage of Water, the said Steam-boat ran on a Sand-bar. They immediately proceeded to back the boat off the Bar, which succeeded, and while the boat had Stern-way so as to clear the Bar, she struck on a Snag about Twenty inches under water, which stove in some of her planks near the stern-post. The most prompt exertions of all hands were made to discover and stop the leak; but they found the water rising so fast in the Boat that orders were given to use all strength to run her ashore, and accordingly they succeeded in running her on Sand-bar. The said Master now employed Lighters and extra hands, and they proceeded immediately to discharge and land the cargo. It was afterwards found that the Bar on which the said Steam boat had been run was quick-sand, and that she was sinking in it. All hopes of saving the said Steam-boat was now lost, and their utmost exertions were used to get as much out of her as possible; but a considerable part of the cargo, as the Sugar, &c. was lost, and most of the remainder was damaged. The damaged part of the said cargo was dried and repacked, and afterwards shipped for Saint Louis on board of the Steam-Boat Patriot. —

That the said Master and the persons above named did detail the circumstances of the loss of said Boat on oath, and extended a Protest, before Andrew Latting, esquire, a Justice of the Peace

in and for the County of Chicot of the Said Territory, on the twenty-ninth day of December last; and a copy thereof was sent with the goods of the cargo to St. Louis.

The said appearer further declared that none of the persons on board of said steamboat at the time of her loss, except himself, are now in this city; nor has he a copy of the declaration & Protest made in the premises as aforesaid; but that he makes this declaration and Protest as Supplementary thereto.

Whereupon the said Master declared to Protest, as by these presents with him I the said Notary do publickly and solemnly Protest against all persons whom the same may or doth concern; against the difficulties and obstructions of the River, and inevitable accidents of whatsoever nature and kind, particularly against the accidents hereinbefore recited, for all loss damage and detriment suffered and to be suffered by for or on account of the said steam-boat Rufus Putnam or the goods of her loading aforesaid; declaring the same to arise from the causes hereinbefore specified, and not from any fault mismanagement or neglect of him the said Master or any of his Officers or Crew; that on the contrary, their best exertions and skill were used to preserve the property under their charge, and to accomplish said intended voyage.

In testimony whereof the said appearer has hereunto subscribed his name in presence of Felix Brunel and William Dawson, witnesses, who hereunto also subscribe their names as such, and I the said notary grant these presents at New Orleans aforesaid under my signature.

Brunel

Wm Dawson

N. B. Cudlipp

Ed. McGuire

Not. Pub.

No. 142
Port Protest by
S. B. *Rufus Putnam*
W. B. Culver
March 1

[127] By this Instrument of Protest, Be it known that on this first day of March in the year of our Lord One Thousand Eight Hundred and Twenty Six and Fiftieth of the Independence of the United States of America.

Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn.

Personally appeared William B. Culver, late master of the Steam Boat called the *Rufus Putnam* of Marietta.

The same appearer, being first at his own request duly sworn by me the said Notary, to declare the Truth in the premises, deposed and saith as follows, to wit:

That he the said William B. Culver, as Master aforesaid, and James Snell, the Pilot, and J. W. Criswell, the Chief Engineer, and a sufficient crew, together with David G. Bates, the owner, and other passengers, all sailed in and with the said Steam-boat, from this Port of New Orleans, on the seventeenth day of December last past, she being loaded with cargo of Sugar, Coffee, Dry-goods and other sundry merchandise, bound for a voyage up the river to Saint Louis in the state of Missouri. That nothing remarkable occurred on board until the night of the twenty-seventh of December last, being then near Point Chicot in the Territory of Arkansas, where, about three o'clock a. m. there being a low stage of water, the said Steam-boat ran on a sand-bar. They immediately proceeded to back the boat off the Bar, which succeeded; and while the boat had stern-way so as to clear the Bar, she struck on a snag about Twenty inches under water, which stove in some of her planks near the stern-post. The most prompt exertions of all hands were made to discover and stop the leak; but they found the water rising to fast in the Boat that orders were given to use all strength to run her ashore, and accordingly they succeeded in running her on sandbar. The said Master now employed lighters and extra hands, and they proceeded immediately to discharge and land the cargo. It was afterwards found that the Bar in which the said steamboat had been run was quicksand, and that she was sinking in it. All hopes of saving the said steam-boat was now lost, and their utmost exertions were used to get as much out of her as possible; but a considerable part of the cargo, as the sugar, [illegible] was lost, and most of the remainder was damaged. The damaged part of the said cargo was dried and repacked, and afterwards shipped for Saint Louis on board the Steam-Boat *Patriot*:

That the said Master and the persons above named did detail a Protest, before Andrew Latting, esquire, a Justice of the Peace

[128] in and for the County of Chicot of the said Territory, on the twenty-ninth day of December last; and a copy thereof was sent with the goods of the cargo to St. Louis.

The said appearer further declared that none of the persons on board of said steamboat at the time of her loss, except himself, are now in this city; nor has he a copy of the declaration & Protest made in the premises as aforesaid; but that he makes this declaration and Protest as supplementary thereto.

Whereupon the said Master declared to Protest, as by these presents with him I the said Notary do publicly and solemnly Protest against all persons whom the same may or doth

concern; against the difficulties and obstructions of the River, and inevitable accidents of whatsoever nature and kind, particularly against the accidents hereinbefore recited, for all loss damage and detriment suffered and to be suffered by for or on account of the said Steam-boat *Rufus Putnam* or the goods of her loading aforesaid, declaring the same to arise from the causes hereinbefore specified, and not from any fault mismanagement or neglect of him the said Master or any of his officers or Crew; that on the contrary, their best exertions and skill were used to preserve the property under their charge, and to accomplish said intended voyage.

In testimony whereof the said appearer has hereunto subscribed his name in presence of Felix Brunel and William Dawson, witnesses, who hereunto also subscribe their names as such, and I the said Notary grant these presents at New Orleans aforesaid under my signature.

[Signatures] F Brunel, Wm Dawson, N. B. Culver, H. K. Gordon, Not. Pub.

No 547.
Protest.
Gilman Moore
on flat boat
Cavalier & Lexington
from
Shippingport
to
Sept. 14.

537

By this Instrument of Protest, Be it known that on this Fourteenth day of September in the year of our Lord one Thousand Eight Hundred and Twenty-six, and Fifty-first of the Independence of the United States of America. Before me Hugh K. Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, and in my Notarial office in said city, Personally came & appeared Gilman Moore, Master of the Flat-boat called the Cavalier, now lying in this Port, who produced to me the Notary a certain original document which at his request I have herein transcribed, being in the words and figures as follows, to wit:

(Seal) "Port wardens Certificate." "No 207."
"Commonwealth of Kentucky." "Jefferson County, ss."

"Be it known that on the 28th day of July 1826, at the request of "Geo. Barbarous & S. Bell. I, Simeon S. Goodwin, Port Warden of said "County, duly appointed commissioned and sworn, repaired on board the "two flat-boats called the Cavalier and the Lexington, Gilman Moore "Master, then at Shippingport in the Ohio River, within the precincts of said "County, and examined the condition of said Boats and also the condition "of the cargoes or loading on board the same, and the stowage thereof, and "do hereby certify that the said flat-boat Cavalier is 77½ feet long and "17½ feet wide, and draws thirty-one inches of water, with a cargo of 650 "barrels of Flour, the Lexington is 65½ feet long and 16 feet wide and draws "thirty-two inches of water, with a cargo of 500 bbls of flour. They are both first "rate flat-boats, oak bottoms, light, staunch & strong, two pumps on each "and well furnished with every requisite for a voyage to New Orleans to which "port they are destined. Gilman Moore, the master is an experienced "Pilot and trustworthy man, assisted by — Ross, an experienced steersman "and eight men. Their cargoes are stowed in a superior manner and "in excellent order, and they are as safe as any flat-boats whatever."

"Given under my hand and seal of office the day first written."
(signed) "Simeon S. Goodwin." "P. W." "J. G."

The said Gilman Moore, accompanied by John Martin and William Elder, two of the men employed in the navigation of the two above mentioned Flat-boats Cavalier and Lexington, being all duly sworn by me the said Notary to declare the truth in the premises, severally deposed and declare as follows, to wit:

That they these deponents, together with John Ross the steersman and nine other Hands departed from Shippingport on the twenty-ninth day of July last past in and with the said Flat-boats Cavalier & Lexington, and their cargoes of Flour aforesaid bound for a voyage to this Port

That nothing remarkable occurred on board until on or about the fourteenth day of August last, being then in the Ohio about two miles below the mouth of the Cumberland River, made fast to the bank for the night, the boats lashed together, when, about six o'clock, p. m., the Boat Lexington suddenly sprung a leak, from some unknown cause, and the first they perceived of it was the settling & sinking of the boat. They immediately set both pumps agoing and made every other possible exertion to free the boat, but finding her still sinking, they proceeded to land her cargo, which they accomplished in about three hours; the lower tier of barrels having been entirely under water. They were not able to find the immediate cause of the leak, but believe the same to have arisen from the working out of a knot or the starting of some of the planks. About an hour previous to the accident they had pumped both boats dry, to lighten them over a small bar. After the cargo was landed they endeavoured to bale out the boat, but could not succeed. They packed the cargo together and covered it as well as possible with the roofing plank of the boat, to preserve it from the weather which was now very wet and rainy. They made a declaration on oath and Noted a Protest relative to the foregoing matters before Thomas Willis, a Notary Public at the village of Smith=land, and forwarded the same by a Special messenger to the owners at Louisville. The said Gilman Moore then left the Lexington and her cargo, in the aforesaid condition, in the charge of the said John Ross and four Hands, with instructions to do for the best; and on the fifteenth day of August last, these deponents and two other hands proceeded on the voyage with the said Boat Cavalier for this Port, where they arrived without further accident this morning, the fourteenth current.

Whereupon these appearers, and particularly the said Master declared to protest, as by these presents with them I the said Notary do publicly and solemnly protest against all persons whom the same may or doth concern, against the difficulties and obstructions of the river and inevitable accidents of whatsoever nature and kind, particularly against the accident above recited, for all loss delay damage & detriment suffered or to be suffered by for or on account of the said flat=boat Lex=ington or the goods of her loading on the voyage aforesaid; declaring the same to arise from the causes herein before recited, and not from any fault mismanagement or neglect of him the said master or any of the Officers or assistants on board of the said Boat, but on the contrary, their utmost skill and exertions were used to preserve the property committed to their charge and to accomplish the said voyage.

In testimony whereof the said deponents hereunto subscribe their names, in presence of Felix Brunet and William McCauley witnesses who having also hereunto subscribed their names as such, I the said Notary grant these presents under my signature.

F. Brunet

W. McCauley

Gilman Moore

William Elder

John Martin

R. K. Gordon

Not. Pub.

No. 547
River Protest by
Gilman Moore,
Of flat bts
Cavalier & *Lexington*
From Shippingport
Sept. 14.

[539] By this Instrument of Protest, Be it known that on this Fourteenth day of September in the year of our Lord One Thousand Eight Hundred and Twenty Six and Fifty first of the Independence of the United States of America.

Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, and in my Notarial office in said city, Personally came and appeared Gilman Moore, Master of the Flat-boat called the *Cavalier*, now lying in this Port, who produced to me the Notary a certain original document which at his request I have herein transcribed, being in the words and figures as follows, to wit:

"Port Warden's Certificate." "No. 207."
"Commonwealth of Kentucky." "Jefferson County, SS."

"Be it known that on the 28th day of July 1826, at the request of Jos. Barbaroux & S. Bell, "J. Simeon, L. Goodwin, Port Warden of said County, duly appointed commissioner and sworn, "repaired on board the two flat-boats called the *Cavalier* and the *Lexington*, Gilman Moore "Master, then at Shippingport in the Ohio River, within the precincts of said County, and "examined the condition of said Boats and also the condition of the cargoes or loading on board "the same, and the stowage thereof, and do hereby certify that the said flat-boat *Cavalier* is 77 ½ "feet long and 17 ½ feet wide, and draws thirty-one inches of water, with a cargo of 650 barrels "of Flour, the *Lexington* is 65 ½ feet long and 16 feet wide draws thirty-two inches of water, "with a cargo of 500 lbs of flour. They are both first rate flat-boats, oak bottoms, tight, staunch "& strong, two pumps in each and well furnished with every requisite for a voyage to New "Orleans to which port they are destined. Gilman Moore, the Master is an experienced Pilot and "a trustworthy man, assisted [blank space] Ross, an experienced steersman and eight men. Their "cargoes are stowed in a superior manner and in excellent order, and they are as safe as any "flat-boats whatever.

"Given under my hand and Seal of office the day fast written."
(signed) "Simeon S. Goodwin." "P. W." "J. G."

The said Gilman Moore, accompanied by John Martin and William Elder, two of the men employed in the navigation of the two above mentioned Flat-boats *Cavalier* and *Lexington*, being all duly sworn by me the said Notary to declare the truth in the premises, severally deposed and declare as follows, to wit:

That they these deponents, together with John Ross the steersman and none other Hands departed from Shippingport on the twenty-ninth day of July last past in and with the said Flat-boats *Cavalier* & *Lexington*, and their cargoes of Flour aforesaid, bound for a voyage to this Port,

[Second page] That nothing remarkable occurred on board until on or about the fourteenth day of August last, being then in the Ohio about two miles below the mouth of the Cumberland River, made fast to the bank for the night, the boats lashed together, where, about six o'clock, p. m. the Boat *Lexington* suddenly sprung a leak, from some unknown cause, and the first they perceived of it was the settling & sinking of the boat. They immediately set both pumps agoing and made every other possible exertion to free the boat, but finding her still sinking, they proceeded to land

her cargo, which they accomplished in about three hours; the lower tier of barrels having been entirely under water. They were not able to find the immediate cause of the leak, but believe the same to have arisen from the working out of a knot or the starting of some of the planks. About an hour previous to the accident they had pumped both boats dry, to lighten them over a small bar. After the cargo was landed they endeavoured to bale out the boat, but could not succeed. They packed the cargo together and covered it as well as possible with the roofing plank of the boat, to preserve it form the weather which was now very wet and rainy. They made a declaration on oath and Noted a Protest relative to the foregoing matters before Thomas Willis, a Notary Public at the village of Smithland, and forwarded the same by a special messenger to the owners at Louisville. The said Gilman Moore then left the *Lexington* and her cargo, in the aforesaid condition, in the charge of the said John Ross and four Hands, with instruction to do for the best; and on the sixteenth day of August last, these deponents and two other hands proceeded on the voyage with the said Boat *Cavalier* for this Port, where they arrived without further accident this morning, the fourteenth current.

Whereupon these appearers, and particularly the Master declared to protest, as by these presents with them I the said Notary do publicly and solemnly protest against all persons whom the same may or doth concern, against the difficulties and obstructions of the river, and inevitable accidents of whatsoever nature and kind, particularly against the accidents above recited, for all loss delay damage & detriment suffered or to be suffered by for or on account of the said flat-boat *Lexington* or the goods of her loading on the voyage aforesaid; declaring the same to arise from the causes herein before recited, and not from any fault mismanagement or neglect of him the said Master or any of the officers or assistants on board of the said Boats; that on the contrary, their utmost skill and exertions were used to preserve the property committed to their charge, and to accomplish said voyage.

[540] In testimony whereof the said deponents hereunto subscribe their names, in presence of Felix Brunel and William McCawley witnesses who having also hereunto subscribed their names as such, I the said Notary grant these presents under my signature.

[Signatures] F Brunel, W McCawley, Gilman Moore, William Elder, John Martin,
Hu. K. Gordon, Not Pub.

No. 204
Sure Protest.
Welcome Martin
vs flat boat.
April 5.

By this Instrument of Protest, Be it known that on this fifth day of April in the year of our Lord One Thousand Eight Hundred and Twenty seven, —— Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly Commissioned & Sworn, —— Personally came Welcome Martin, resident of Munroe County in the State of Kentucky, who being at his own request duly Sworn by me the Notary to declare the truth, declared on oath as follows, to wit: ——

That he this deponent arrived during the last month at this Port with two flat=boats loaded with corn, his Property, which he moored at the Point at the upper limits of this Port. The flat=boat hereinafter mentioned was moored and fastened to the levee and to another flat=boat lying aground inside, and her cargo had been sold to Mr. Maher under contract to be delivered at a Plantation on the river bank below this city. ——

That on Saturday last, the thirty=first day of March ultimo, this deponent having hired assistance and preparing to conduct said boat and cargo down the river, the steam=boat Huntress of Louisville, in proceeding up the river under rapid way, and close in with the flat=boats moored at said Point, ran foul of the said flat=boat and cargo of corn, and struck her with great force on the larboard quarter or side, which was stove in, and the boat so violently strained and injured that she almost immediately filled with water. ——

This deponent and his hands, and several of the by=standers used every exertion to save some of the corn, but only a few barrels were got out dry before the water had covered the cargo. ——

Also personally came George Young, who being in like manner duly sworn to declare the truth, deposed That he was employed by the said Welcome Martin to assist in conducting the above mentioned flat=boat & corn down to the Plantation. Deponent was present and saw the steam=boat Huntress run foul of the said flat=boat, which was so much injured thereby that she filled with water before any effectual measures could be taken to save the corn. Deponent assisted to throw a few barrels of the corn on the roof of said boat.

Also personally came Robert Clark, who being in like manner duly sworn deposed That he was employed in a flat=boat lying near the above mentioned flat=boat with the cargo of corn. That he was present and saw the steam=boat Huntress run foul of the said flat=boat & cargo, and gave his as=sistance in endeavouring to save the corn; but the boat was so much injured that no exertions could have prevented her filling with water.

Whereupon the said Welcome Martin declared to Protest, as by these presents with him I the said Notary do publickly and solemnly protest against all persons whom the same may or doth concern, particularly against the owners, master and officers of the said steam=boat Huntress, for all loss damage and detriment suffered or to be suffered by her or on account of the said flat=boat and cargo of corn, declaring the same to arise from being run

run on board and foul of by the said steam-boat, and not from any fault, mismanagement or neglect of him the said Welcome Martin or of any of the persons by him employed in the care of said flat-boat.

In testimony whereof the said deponents hereunto subscribe their names, in presence of and together with William H. Brown and Jacob Lively, residents of the upper Suburbs of this city, and I the said Notary grant these presents under my signature.

W. H. Brown

Welcome Martin

George Young

J. Lively

Hu Kgordon
Not. Pub.

Robert Clark

No 204 149
River Protest
Welcome Martin
Mst of flat-boat
April 5

By this Instrument of Protest, Be it known that on this fifth day of April in the year of our Lord One Thousand Eight Hundred and Twenty Seven,

Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn,

Personally appeared came Welcome Martin, resident of Monroe County in the state of Kentucky, who being at his own request duly sworn by me the said Notary, to declare the truth, declared on oath as follows, to wit:

That he this deponent arrived during the last month at this Port with two flat-boats loaded with corn, his Property, which he moored at the Point at the upper limits of this Port. The flat-boat hereinafter mentioned was moored and fastened to the levee and to another flat-boat lying aground inside, and her cargo had been sold to W. Maker under contract to be delivered at a Plantation on the river bank below this city.

That on Saturday last, the thirty-first day of March [illegible], the deponent having hired assistance and preparing to conduct said boat and cargo down the river, the steam-boat *Huntress* of Louisville, in proceeding up the river under rapid way, and close in with the flat-boats moored at said Point, ran foul of the said flat-boat and cargo of corn, and struck her with great force the larboard quarter or side, which was stove in, and the boat so violently strained and injured that she almost immediately filled with water.

This deponent and his hands, and several of the by-standers used every exertion to save some of the corn, but only a few barrels were got out dry before the water had covered the cargo.

Also personally came George Young, who being in like manner duly sworn to declare the truth, deposed That he was employed by the said Welcome Martin to assist in conducting the above mentioned flat-boat & corn down to the Plantation. Deponent was present and saw the steam-boat *Huntress* run foul of the said flat-boat, which was so much injured thereby that she filled with water before any effectual measures could be taken to save the corn. Deponent assisted to throw a few barrels of the corn on the roof of said boat.

Also personally came Robert Clark, who being in like manner duly sworn deposed That he was employed in a flat-boat lying near the above mentioned flat-boat with the cargo of corn. That he was present and saw the steamboat *Huntress* run foul of the said flat-boat & cargo, and gave his assistance in endeavouring to save the corn; but the boat was so much injured that no exertions could have prevented her filling with water.

Whereupon the said Welcome Martin declared to Protest, as by these presents with him I the said Notary do publicly and solemnly protest, against all persons whom the same may or doth concern particularly against the owners master and officers of the said steam-boat *Huntress*, for all loss damage and detriment suffered and to be suffered by for or on account of the said flat-boat and cargo of corn, declaring the same to arise from being run on board and foul of by the said steam-boat, and not from any fault mismanagement or neglect of him the said Welcome Martin or of any other persons by him employed in the care of said flat-boat.

In testimony whereof the said deponents hereunto subscribe their names, in presence of and together with William H. Brown and Jacob Lively, residents of the upper Suburbs of this city, and I the said Notary grant these presents under my signature.

[Signatures] Welcome Martin, George Young, Robert Clark, W. H. Brown, J. Lively,
Hu K Gordon, Not Pub.

No. 29
Ron Robert master.
Samuel Dick
owner of the Flat Boat.
May 19

Be it Known That on this Nineteenth day of May in the year of our Lord one Thousand Eight Hundred and Twenty seven and the fifty second of the Independence of the United States of America

Before me Hugh H. Gordon Notary public in and for the Parish and City of New Orleans State of Louisiana duly commissioned and sworn

Personally appeared James McBride & also ~~[illegible]~~ Dick Bowen Company of Liberty Merchants, represented by Nathaniel Dick expatriate of said firm, — who presented to me the said Notary a certain Instrument in writing purporting to be a protest passed at Natchez on the Eleventh day of the current month before Henry Dooly a Notary public at that place; which said Instrument in writing the said appearers required me the said Notary to copy on this my current Register of Notarial acts there to remain and there to be of Record — whereupon I the said Notary did transcribe the said Instrument in writing, it being in the words & figures as follows, as I do hereby certify, to wit: —

The State of Mississippi
Adams County

— By this public Instrument of Protest be it known that on this day personally appeared before me Henry Dooly a Notary public in and for said County residing in the City of Natchez, James McBride, and Alexander George, who being duly sworn upon the Holy Bible the truth to say, depose as follows: —

James McBride says that he was the Commander of a flat boat belonging to Henry Turney & James Mattler, residing in Maury County State of Tennessee — That at the Mouth of Duck river this deponent went on board and took command of said boat laden with bottom bales, and some Southern Horses, destined for New Orleans — That on or about the 12th day of April, said boat took her departure from said place on her voyage to New Orleans aforesaid — That said boat had on board to work her down the river, himself, Alexander George, John P. Turner and David Martin & Dennis Jones — That they run on with occasional delays, and stoppages from high winds until on the 21st of April they arrived at that part of the Mississippi river called "the Devils Elbow", when said Boat was discovered to have sprung a leak, and which they endeavored to keep under, — That when said leak was discovered, they endeavored by shifting the load to discover the leak, as it was out of their power to unload said boat, as the Banks of the river were entirely flooded — That their labour to discover the leak was in vain. — That upon consultation it was considered proper to run on to some part of the Banks so that they could get dry ground to land the Cargo, and thereby come at the leak — That accordingly they departed from thence; and at the first place of dry land, they could not get on to shore, because of a heavy current; and before they arrived at another dry place, it was dark — That they run on, hoping to keep the boat afloat until they should be able to land at a dry place; when, a short time before day, on the morning of the 27th the said boat sank, so as to be abandoned — That it was expected the boat altho' so sunken, would float out, and in the ensuing day light, if possible they had intended to take charge of her; and save what they

(which

could — That accordingly, on the morning of about ten o'clock, they went on board of her floating down, and not being more than half santo, but unmanageable, deponent put two men on board of her, to take charge and save her, if possible, from entire loss. — That after making this arrangement, deponent left said boat floating on, — and since which, deponent has not seen her, but has understood that said boat had drifted in at "Connel bend" of the Mississippi, where it was probable the cargo or part thereof would be saved; and since which, he has not heard from her. — Deponent further says, that every possible exertion was made to save said Boat; and that no loss or damage occurred from any neglect or mismanagement of any hand on board; but that her loss, or partial loss was from said flat, and no other cause whatever." —

"James McBride."

Alexander George being duly sworn, deposes that he was a hand on board said boat, and that the facts and circumstances in the disposition of James McBride are true and correct.

his
Alexander ✗ George
mark

And therefore the said James McBride commander of the Flat-boat aforesaid, does hereby solemnly protest against all and every person or persons whomsoever does or may concern, and declare that all damages and losses that have happened to said flat-boat or the cargo therein are and ought to be borne by the owners and freighters interested therein, and all other persons whom it does or may concern; that said happened as before mentioned, and not by neglect of himself or any hand on board. —

All of which matters and things we declare to be further the present of said Notary.

In witness whereof I have hereto set my hand and affixed my office at Natchez, this 11th day of May 1827

H. Dooley N. P.

Thus done and passed at the City of New Orleans the day and year aforesaid in the presence of Silas Pound & Thomas Hughes witnesses who hereunto subscribe their names with the appearer

Silas Pound

Thos. D. Hughes

Lucius P. Booth for

H. Dooley
Notary Pub.

No. 319
River Protest recorded
James McBride
Master of a Flat Boat
May19

[255] Be it known That on this nineteenth day of May in the year of our Lord One Thousand Eight Hundred and Twenty Seven and Fifty-first of the Independence of the United States of America.

Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn,

Personally appeared James McBride & also Dick & Booker Company of this City, merchants, presented by Nathaniel Dick a patron of said firm, who presented to me the said Notary, a Certain Instrument in writing of registry to be a justice [illegible] me, Notary on the Eleventh day of the current month before Henry Tooley, a Notary public at last place, while said Instrument in writing the said appearers required me the said Notary to Copy on this my Current Register of Notarial notes there to remain and serve as of record, whereupon I the said Notary did transcribe the said Instrument in writing it being in the words and figures as follows as I so hereby Certify, to wit:

The State of Mississippi
Adams County

By this public Instrument of Protest be it known that on this day personally appeared before me Henry Tooley a Notary public in and for said County, residing in the City of Natchez, James McBride, and Alexander George who being duly sworn upon the Holy Bible the truth to say depose as follows:

James McBride that he was the Commander of a flatboat belonging to Henry Turney & James Nather, residing in Murray County state of Tennessee _ That at the Mouth of Duck river this deponent went on board and took command of said boat laden with Cotton bales, and some sundry Stores, destined for New Orleans _ There or about the 12th day of April, said boat took her separation from said place on her voyage to New Orleans aforesaid. _That said boat had on board to work her down the river, himself, Alexander George, John B. Turner and David Martin & Darius Jones. _ That they run on with [illegible] delays and stoppages from high winds until the 24th of April they arrived at that part of the Mississippi river called “the Devils Elbow,” when said Boat was discovered to have sprung a leak, and which they endeavored to keep under, _ That when said leak was Discovered, they endeavored by shifting the load to Discover the leak, as it was out of their power to unload said boat, as the Banks of the river were entirely flooded _ That their labour to Discover the leak was in vain. _ That upon consideration it was considered proper to run on to some part of the Bank where they could get dry ground to land the Cargo, and thereby come at the leak. _ Then accordingly they departed from thence, and at the first place of dry land, they could not get in to shore, because of a heavy current, and before they arrived at another dry place, it was dark. _ Then they ran on hoping to keep the boat a float until they should be able to land at a dry place, when, a short time before day on the evening of the 27th the said boat sank, so as to be abandoned _ That it was expected the boat tho’ [sic] so sunken, would float on, and in the ensuing day light, if possible they had intended to take charge of her; and save what they

[256] could _ Then accordingly, in the evening at about Ten o’clock, they went on board of her floating down, and not being now there half sunk, but unmanageable, deponent put two men on

board of her, to take charge and save her, if possible, from entire loss. _ That after making this arrangement, deponent left said boat floating on, _ and since which, deponent has not seen her, but has understood that said boat had drifted in at "Council bend" of the Mississippi, where it was probable the cargo or part thereof would be saved; and since which, he has not heard from her. _ Deponent further says that every possible exertion was made to save said Boat, and that no loss or damage occurred from any neglect or mismanagement of any hand on board; but that her loss or partial loss was from said leak, and no other cause whatever. "James McBride."

Alexander George being duly sworn deposes that he was aboard said boat, and that the facts and circumstances in the deposition of James McBride are true and current.

Alexander "X" George

And wherefore the said James McBride commander of the Flatboat aforesaid, does hereby solemnly protest against all and every person or persons whom it does or may concern, and declared that all damages and losses that have happened to said flatboat or the cargo therein are and ought to be bound by the owner and freighters interested therein, and all other persons whom it does or may concern; the same having occurred as below mentioned and not by neglect of himself or any hand on board.

All of which matters and things were [illegible] as set forth in the presence of said Notary.

In witness whereof I have hereto set my hand and the seal of my office as Notary this 11th day of May 1827, H. Tooley N.P.

Thus done and Recorded at the City of New Orleans the day and year aforementioned in the presence of Felix Brunel & Edmond Hughes witnesses who hereunto subscribe their names with the appearer.

[Signatures] F Brunel, Edm. Hughes, Dicks, Booker, Hu. K. Gordon

No. 248
Mary Prout
Mr Rising
Sam Tuler, ux
Mar 19

Be it Known that on this Nineteenth day of May in the year of our Lord one thousand Eight Hundred and Twenty-four and fifty-first of the Independence of the United States of America.—

Before me Hugh K Gordon a Notary public in and for the Parish and City of New orleans State of Louisiana duly commissioned and sworn—

Personally appeared James Deaton late Chief-mate and Samuel Lucas a mariner on board of the Schooner Rising Sun of New orleans of the burthen of Ninety-four Tons or thereabouts. The said appearers being duly sworn declared that they sailed from New orleans on or about the 25th day of January last in and with the said Schooner & a cargo of Sundry Merchandise under the command of Captain John Collins bound for a voyage to Rio Brazos, Province of Texas. That they arrived early in February last, — at the Bar of the River Brazos without any thing remarkable occurring on Board, — That on arrival they sounded the Bar and found the water very low, the Captain went ashore for a Pilot and obtained one who came on board, — The Pilot & Captain sounded the Bar and there made an attempt with the Schooner to get in, but she struck Ground and it was with considerable difficulties and exertions by hauling her over that she was got off and again anchored out side. — Next day they again (the mate) took the boat and sounded all over the Bar, and found no more than from five to six feet of water and the water still falling, the Schooner drawing over seven feet after having been trimmed & set merely on her Keel. — They lay there, making every possible endeavour to get over the Bar, for several days during which their boat had been upset and filled with the breakers. At length considering the danger of the place in case of gale of wind from the Eastward (no wind will raise the water on the Bar) and the Captain failing after every exertion to obtain lighters to lighten the Schooner sufficiently to enter, there being no larger vessel than the boat & Pirogues and their own boat being insufficient on account of the surf on the Bar, there a consultation was held by the Captain, officers, Passengers & crew, and consignees of some of the cargo, wherein it was agreed upon as necessary for the safety of the vessel and cargo to proceed to Galveston, as the only means of getting the cargo near to its destination; And they proceeded accordingly with the same Pilot they had already engaged and arrived in a few days after, they got over Galveston Bar, and proceeding up the Bay, arrived at Red-fish Bar, where being unable to proceed further, they brought the vessel to anchor, and by agreement with the consignees and Passengers they landed the cargo, they obtained two lighters, with which and the Schooner Boat they transported said cargo up to Harrisburg, where the consignees received the same & paid such proportion of freight as was due, without any delay or difficulty. — on the Seventeenth March last they left Red-fish Bar and proceeded down the Bay, having still the Pilot on Board, about three o'clock p. m. they arrived and came to anchor abreast of Point Bolivar; and

The

the Captain went ashore to look for Ballast, in the morning it came on to blow severely from the N and W and the boat could not get off, after pulling until eight o'clock p. m. about eight o'clock it blew a dreadful gale; and the Schooner went adrift with both anchors down and drove on Pilion Bar, and before midnight bilged and filled with water — In the morning the gale having abated, then the boat arrived and with the assistance of the Pilots Boat they saved and landed the hull and rigging and as much of the wreck as they could, which they took to Hamburg. — The Captain proceeded with the log book & papers to St. Philippe, and before the Alcade of the District in which the wreck was lost, and the Consul he entered and extended a Protest. Then appears proceeded from Hamburg to Clark's landing from whence they took passage in different vessels for this place where they arrived on Tuesday last. —

There appears further upon oath declared that it was impossible and the wind to carry the said Schooner and cargo to her destination and Clark's landing on the River Pearl for want of sufficient depth of water on the Bar and for want of means to lighten her: That the proceeding to Galveston Bay were the only means left them to accomplish for the benefit the object of the voyage, and that it was agreed upon as necessary & best for the general good by all on board including the Pilot. —

And the said appearers in the absence of the said Master and for themselves and others concerned, desired to state and enter a Protest in the premises, requiring me the Notary to make record thereof to serve as need may be. —

Thus done and passed at the City of New Orleans the day & year aforesaid in the presence of Felix Brunet & Edmond Hughes witnesses who hereunto subscribed their names with the said appearers and me the Notary.

Brunet

Edmd. Hughes

James Yeatman

Samuel Lee

Rob. Gordon

Notary Pub.

No. 320 256
Notary Protest
Sb. *Rising Sun*
James Yates,
May 19th

Be it known that on this Nineteenth day of May in the year of our Lord One Thousand Eight Hundred and Twenty Seven and fifty-first of the Independence of the United States of America.

Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn.

Personally appeared James Yeaton, late Chief mate and Samuel Luce a mariner on board of the Schooner *Rising Sun* of New Orleans of the burthen of Ninety-four Tons or thereabouts: The said appearer declared that they sailed from New Orleans on or about the 25th day of January last in and with the said Schooner & a Cargo of sundry merchandise under the Command of Captain John Collins, bound for a voyage to Rio Brassos, Province of Texas, That they arrived early in February last. At the Bar of the River Brassos without any thing remarkable occurring on Board; That on arrival by sounded the Bar and found the water very low, The Captain went ashore for a Pilot and obtained and who came on board. The Pilot & Captain sounded the Bar and thence made an attempt with the Schooner to get in but she struck ground and it was with considerable difficulties and exertion by heading her over that she was got off and again anchored out side. Next day this deponent (the mate) took the Boat and sounded all over the Bar, and found no more than from five to six feet of water and the water side falling, the Schooner drawing over seven feet after having been [illegible] & set nearly on even Keel. They lay ahead, making every possible endeavour to get over the Bar, for several days during which their boat had been upset and filled with the breakers. At length considering the danger of the place in case of gale of wind from the Eastward (no wind with raise the water on the Bar) and the Captain failing after every exertion to obtain lighters to lighten the Schooner sufficiently to enter, there being no larger vessel [illegible] [illegible] and their own boat being insufficient on around of the surf on the Bar, there a consultation was held by the Captain, officers, Passengers & Crew, and consignees of some of the cargo, when it was agreed upon as necessary for the safety of the vessel and said cargo to proceed to Galveston, as the only means of getting the cargo near to its destination: And they proceeded accordingly with same Pilots they had already engaged and arrived in a few days after, they got over Galveston Bar, and proceeding up the Bay, arrived at Rio-fish Bar where being unable to proceed further, they brought the vessel to anchor, and, by agreement with the consignees and Passengers, they landed the Cargo, they obtained two lighters, with which and the Schooners Boat they transported said Cargo up to Harrisburg, where the consignees received the same & paid such part of the freight as was due, without [illegible] or difficulty. _ On the Seventeenth March last they left Red-fish Bar proceeded down the Bay, having hired the Pilot on Board, about Three o'clock p.m. they arrived and came to anchor abreast of Point Bolivar: and

[Second page] the Captain went ashore to look for Ballasts, in the evening it came on to blow severely from the [illegible] westward, and the boat could not get off, after pulling until eight o'clock p. m., about eight o'clock it blew dreadful gale, and the Schooner went adrift with both anchors down and drove on Pelican Bar, and before midnight bilged and filled with water. In the morning the gale, having abated, then the boat arrived and with the assistance of the Pilots Boat they saved and landed the sails and rigging and as much of the wreck as they could, which they took to Harrisburg. The Captain proceeded with the log book & papers to St. Philippe, and before the [illegible] of the District in which the vessel was lost and the Consul he entered and extended a Protest: Then appearers proceeded from Harrisburg to Clark's landing from where they took passage indifferent vessels for this place where they arrived on Tuesday last.

These appearers further depose on oath declare That it was impossible at the time to carry the said Schooner and Cargo to her destination at Clark's Landing on the River Brassos for want of sufficient depth of water on the Bar and for want of means to lighten her: That the proceeding to Galveston Bay was the only means left them to accomplish for the boats the objects of the voyage: and that it was agreed upon as necessary & [illegible] for the general good by all on board including the Pilot.

And the said appearers in the absent of the said Master and for themselves and other concerned declared to Note and enter a Protest in the premises, requiring me the Notary to make record thereof to serve as need may be.

Thus done and passed at the City of New Orleans the day & year aforesaid in the presence of Felix Brunel & Edmond Hughes witnesses who hereunto subscribe their names with said appearers and me the Notary.

[Signatures] F Brunel, Edm. Hughes, James Yeaton, Samuel Luce, Hu. K. Gordon, Not pub

No 505

Report
Steamboat Columbia
not Report
Dec 30

By the public instrument of Protest, Be it known that on the twenty sixth day of December in the year of our Lord one thousand eight hundred and twenty seven & fifty second of the Independence of the United States of America; — Before me Hugh K. Gordon notary public in and for the Parish & city of New Orleans, State of Louisiana, duly commissioned & sworn;

Personally came and appeared Samuel Rogers master commanding the late Steam boat "Columbia" of New York", lately employed in transporting the United States Mail between the place and Mobile; — And with him also came and appeared William H. Langwell the pursser Engineer, Jonathan Smart, the second Engineer, Michael Eldridge the chief Mate, Robert Sharp the second mate, John Kennedy the Clerk, and Allen Smith a marinier on board of said Boat — Francisco Ramonez another marinier

The said appearers at their own request being first duly sworn on the Holy Evangelists of Almighty God to declare the truth, deposed and declared as follows to wit.

That they the deponents on the twentieth current proceeded from Mobile in & with the said Steamboat with the mail on board bound for the Bayou St John near this city; and arrived in said Bayou at about half past seven o'clock of the night of the twentieth current, the Boat was moored at her usual place opposite the Old Fort, the boilers were immediately blown out, the fire extinguished, and the fire pans filled with water.

The first Engineer declared that, as it was his custom on arriving in Port, he superintended this work, and with a lamp examined all round the Boilers and Engine-room, closed the furnace doors & shut the Engine-Room ~~while~~ taking all the usual measures of precaution & security, — while the second Engineer as he declared, was occupied in packing the cylinders and otherwise preparing the Engine ~~and otherwise preparing the Engine~~ to pass for Mobile the next day; and that they the Engineers did not retire to rest until after one o'clock. — There were several deck Passengers asleep on different parts of the Deck —

The said Master declared that the five cabin Passengers had retired to rest a quarter or about half past one o'clock he lay down with his clothes on, wrapt in his cloak, on a Sofa in the cabin, leaving a candle burning on the Table, intending at day light to proceed with the Mail to the City — About half past three o'clock A.M. they were alarmed by the cry of fire, and it was found that the boat was on fire in the Engine and Boiler Room — Great confusion now prevailed — The Boat was moored with her head up stream, and a fresh breeze was then blowing from the

Starboard – There was a quantity of Pine wood stowed on the hold which had caught fire and consumed large and smoke was bursting up and spreading to leeward over the after part of the Boat – so that those in the cabin got out with great difficulty – the People commenced throwing water on the fire, but that proved quite ineffectual as the fire had taken in great force and the Engine and Boiler house was immediately enveloped in flames; ——— . ——— . ———

The Clerk declared that on hearing the cry of fire he carried with him from the cabin a drawer of the Sideboard containing about four hundred Dollars in money, with the Receipt-Book, memorandum of accounts and so forth, leaving his own trunks & baggage which he has entirely lost – the Deck Passengers lost most of their baggage, as did those in the Cabbin, and all the officers of the Boat –; – the Mail was deposited in a small room for that purpose situated in the larboard after corner of the Engine house which being from the first discovery of the fire enveloped in Flames & smoke could not be approached, and the Mail was entirely consumed – The Quarter boats and the cables, and some articles on the bows to windward were saved – Mr Baldwin the officers of the Customs and other inhabitants of the village to prevent the fire from communicating to the Houses & Public Stores, required the boat to be towed outside, and when it was found impossible to save any thing considerable, the request was permitted, and she was hauled outside of the Pickets and put aground to the westward where she burnt to the water edge on the twenty first current – the said Master arrived in this city and noted a Protest in the premises before me the said Notary ——— . ——— . ———

In testimony whereof the said appearers have with me, the said notary, signed their names in presence of Peter Pedestamp & Edmond Somat – witnesses residing in this city, and I the said Notary have signed these presents under my signature at New Orleans the day and year above written. = "Robert Shaw the second mate" interlined approved & whereupon ~~the said notary~~ the said appearers and particularly the said Master declared to protest, as by these presents with him I the said Notary do publicly & solemnly protest against all persons whom the same may or doth concern and against incurring costs of whatsoever nature and kind, but particularly against the accidents hereinbefore recited for all loss, damage and detriment whatsoever

3

I Thomas Brown of Kingston Tennessee, do depose & declare on oath that I was a Passenger on board of the Steam boat Columbia on her last voyage from Mobile to New Orleans, and asleep in the Cabin when the alarm of Fire was given on board on the Night of the 20th current. About twenty-five minutes or half past one o'clock that night I was on deck and ashore to look after my Horses which had been previously landed from this Boat. That feeling cold I went into the Engine room of the Boat to get warm, at which time there was no appearance of Fire or light of any kind about that part of the Boat. That in a few minutes after I returned to the Cabin and went to bed. Witness my hand this twenty-ninth day of December 1827.

Thos Brown

State of Louisiana.
Parish & City of New Orleans.

Be it known that on this Twenty-ninth day of December in the year of our Lord One Thousand Eight Hundred and Twenty-seven, Before me Hugh R Gordon, Notary Public in and for the said Parish & City of New Orleans duly commissioned & sworn, Personally came and appeared the above named Thomas Brown, who at his own request having been duly sworn deposed to the truth of the foregoing declaration which he subscribed in my presence. In testimony whereof I have hereunto affixed these presents at the city of New Orleans the day & year aforesaid under my signature & seal of office.

Hugh R Gordon
Notary Public

suffered or to be suffered by, for or on account of the burning of said Steamboat and Mail; declaring that no fault, mismanagement or neglect can or ought to be attributed to him the said Master or to any of the officers or crew of the said Boat, but on the contrary their utmost care & vigilance were used to preserve the property committed to their charge. = this reference approved. as also the words "to prevent the fire from communicating to the houses and Pickets" inserted. / — = the deposition of the Boat's crew, forbidding above mentioned & those with running & qualifies his knowledge of the facts accordingly. Saml Rogers

these last words added and approved. /.

Wm. Eldridge

Matthew H. Langwell

Jonathan Smith

John Kennedy

Allen Smith / Francisco Ramonet's usual mark

Robert Sharp

F. Peters Name

Rut Gordon
Notary Pub.

No. 668
Protest
Steam boat *Columbia*
Captn. Rogers
Dec. 26th

By this Instrument of Protest, Be it known that on this twenty sixth day of December in the year of our Lord One Thousand Eight Hundred and Twenty seven & Fifty second of the Independence of the United States of America; - Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn;

Personally came appeared Samuel Rogers master commanding the late Steam boat "*Columbia of [illegible]"*, lately employed in transporting the United States Mail between this place and Mobile; - And with him also came and appeared William G H Langwell the first Engineer, Jonathan Smart, the second Engineer, Michael Eldrige, the chief mate, Robert Sharp, the second mate, John Kennedy the clerk, and Allen Smith a mariner on board of said Boat, Francisco Ramonet another mariner.

The same appearer at their own request being duly sworn on the Holy Evangelists of Almighty God to declare the truth deposed and declared as follows, to wit:

That they then deponents on the Nineteenth current, proceeded from Mobile in & with the said Steamboat with the Mail on board bound for the Bayou St. John near this city, and arrived in said Bayou at about half past eleven o'clock of the night of the twentieth current, the Boat was moored at her usual place opposite the old Fort, the boilers were immediately blown out, the fires extinguished, and the fire pans filled with water.

The first Engineer declared that, as it was his custom on arriving in Port, he superintended the work, and with a lamp examined all around the Boilers and Engine-room, closed the furnace doors & shut the Engine Room taking all the usual measures of precaution & security. While the second Engineer as he declared, was occupied in packing the cylinder and otherwise preparing the Engine to part for Mobile the next day: And that they the Engineers did not retire to rest until after one o'clock. There were several Deck Passengers asleep on different parts of the Deck.

The said Master declared that the five cabin passengers had retired to rest, at quarter or about half past one o'clock he lay down with his clothes on, wrapt in his clock, on a Sofa in the cabin, leaving a candle burning on the Table, intending at day light to proceed with the Mail to this City – About half past three o'clock A. M. they were alarmed by the cry of fire and it was found that the boat was on fire in the Engine and Boiler Room – Great conference now prevailed - The Boat was moved with her head up stream, and a fresh breeze was then blowing from the

[Second page] Southward – There was a quantity of pine wood stowed in the hold which had caught fire and immense blaze and smoke was burning up and spreading to [illegible] over the after part of the Boat so that them in the cabin got out with great difficulty _ the People commenced throwing water on the fire, but that proved quite ineffectual as the fire had taken on great force and the Engineer and Boiler house was immediately enveloped in flames;

The Clerk declared that on hearing the cry of fire he carried with him from the cabin a drawer of the Sideboard containing about four hundred Dollars of money, with the Receipt Book, memorandum of accounts and so forth, leaving his own trunk & baggage which he has entirely lost, the Deck Passengers lost most of their baggage, as did those in the cabin, and all the officers of the Boat; - the Mail was deposited in a small room for that purpose situated in the Larboard after corner of the Engine home which being from the first discovery of the fire enveloped in

Flames & smoke could not be approached, and the Mail was entirely consumed _ The quarter boats and the cables, and some articles on the bows to windward were saved _ Mr. Baldwin the officers of the Customs and other inhabitants of the cottage to prevent the fire from communicating to the House & Pickets required the boat to be towed outside, and when it was found impossible to save anything considerable, the request was permitted, and She was hauled outside of the Pickets and put aground to the westward where She burned to the water edges on the twenty first current – the Said Master arrived in this city and noted a Protest in the premises before me the Said Notary.

In testimony whereof the said appearers hereunto subscribe their names in presence of Felix Pederdaux & Edmond Somat-Duphonse, witnesses residing in this city, and I the said Notary grant the presents under my signature at New Orleans the day and year above written. "Robert Sharp the second mate" [illegible] approved & whereupon the said appearers and particularly the said Master declared to Protest, as by then presents with him, I the said Notary do publicly and solemnly Protest against all persons whom the same may or doth concern and against inevitable accidents of whatsoever nature and kind, but particularly against the accident hereinbefore recited, for all loss damage and detriment whatsoever

[Third page] suffered and to be suffered by for or on account of the burning of said Steamboat and Mail, declaring that no fault, mismanagement or neglect can or ought to be attributed to him the said Master or any of the officers or crew of the said Boat, that on the contrary, their utmost care & vigilance were used to preserve the property committed to their charge.

[Signatures] Samuel Rogers, M. Eldrige, William H Langwell, Jonathan Smart, John Kennedy, Allen Smith, Robert Sharp, Francisco Ramonet's usual mark "X", F. Pederdaux, Hu. K Gordon, Not. Pub.

[An additional deposition by Thomas Brown, a passenger on the Steamboat Columbia appears on the third page of document]

I Thomas Brown of Kingston Tennessee, do depose & declare on oath That I was a Passenger on board of the Steam boat *Columbia* on her last voyage from Mobile to New Orleans, and asleep in the Cabin when the alarm of Fire was given on board on the Night of the 20th current. About twenty-five minutes or half past one o'clock that night I was on deck and ashore to look after my Horses which had been previously landed from this Boat. That feeling cold I went into the Engine room of the Boat to get warm, at which time there was an appearance of Fire or light of any kind about that part of the Boat. That in a few minutes after I returned to the Cabin and went to bed Witness my hand this twenty-ninth day of December 1827 [signature] Thos Brown

State of Louisiana
Parish & City of New Orleans

Be it known that on this Twenty-ninth day of December in the year of our Lord One Thousand Eight Hundred and Twenty-seven, Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, Personally came appeared the above named Thomas Brown, who at his own request having been duly sworn deposed to the truth of the foregoing declaration which he subscribed in my presence. In testimony whereof I grant these presents at this city of New Orleans the day & year aforesaid under my signature & seal of office. [Signature] Hu. K Gordon, Notary Public

No. 605.
In Protest
Ship Henry Tate
Capt Boyle
from
Belfast.
Jan. 24

Be it known that on this twenty-fourth day of June in the year four hundred and Thousand eight hundred and Twenty-eight. Before me Hugh K. Gordon, Notary Public in and for the Parish & City of New Orleans State of Louisiana duly commissioned & sworn. Personally appeared Thomas Boyle, lately Master commanding the British Brig or vessel called the "Henry Tate" of Belfast burthen about Two hundred and Fifty-eight Tons, now lying sunk in the river Mississippi, below this city. The said Master, having reference to his noting of Protest before me and recorded in my office under date of the eighteenth current, declared his wish & intention to extend same Protest; and for that purpose with him also came & appeared William Campbell, the chief Mate, Thomas Morris, the Carpenter, and ~~William~~ Mariner all late of said Brig Henry Tate, who having been first severally duly sworn on the Holy Evangelists of Almighty God, to declare the truth in the premises, deposed on oath and declare as follows, to wit:—

That they these deponents, on the seventh day of February last past, sailed in & with the said Brig Henry Tate & cargo of sundry merchandise, from the Port of Belfast in Ireland bound for a voyage to this Port of New Orleans, she being tight & staunch well manned and provided for the voyage. That on the twenty-first day of same month, at sea, the said Brig was dismasted in a severe gale, and they put into the Port of Lisbon, in Portugal, where all the damage sustained in said gale was repaired. That on the Eighth day of April last, at Lisbon aforesaid these appearers made a Protest in the premises before the British Consul at that place, which Protest is now produced & exhibited, and to which these presents refer and are supplementary.

That they set sail and proceeded from Lisbon on the fifteenth day of April last in & with said vessel & cargo on said destined voyage, she being tight & staunch as aforesaid. Nothing remarkable occurred until the fourth day of June current, when they arrived off the Balize and got a Pilot on Board. They were several days attempting to get the vessel over the Bar, and at five o'clock a.m. of Friday the thirteenth they succeeded, and entered the river Mississippi. At noon they arrived at the Block-house, where the Pilot left the vessel, and a River Pilot was engaged & came on board. They proceeded up the river under the direction of the Pilot with a fine breeze at Eastward & all sails set. At eight o'clock p.m. same evening, being then about twelve miles above the head of the South-West Pass, close to the Bank to gain the eddy and going about seven knots, ~~an hour~~ the vessel struck with great force on a Snag or fast-Log on the right bank, which drove in the Bow-port, entered the hold about six or eight feet and broke off. The vessel sheered off into the stream, and they made every exertion to stop the leak with bedding, blankets, and so forth. They brought the vessel again to the bank, intending to run her aground, but which they could not effect owing to the great depth of water alongside; they carried the anchor ashore, however, and hove the cable tight to keep the vessel up. They found that a very large breach had been made in the larboard bow, and they were unable to extract the broken log, the water, notwithstanding their utmost exertions, rushed into the vessel in great body, and she was filling fast. When they found it impossible to prevent her filling, the Hatches were opened and they commenced hoisting up packages of the cargo on deck. They could not land any of the cargo, as there was no embankment and the ground was wet and swampy; they therefore kept the goods brought up from the hold, on deck, in the expectation of a Steam-boat or other craft passing which might take them on board. They continued ~~hoisting~~ their utmost exertions until the goods in the

the hold were covered with water. About four o'clock a. m. the vessel went down suddenly down and sunk to the tops, and they had scarcely time to escape from her into the boats. The goods on deck went down with the vessel or were swept off by the current, except a few packages which they got into the boat, and some sails & rigging, which they picked up afloat.

Whereupon the said Master declared to Protest as by these presents with him I the said Notary do publickly and solemnly protest against all persons whom the same may or doth concern, against the difficulties & obstructions of the river and inevitable accidents of whatsoever nature & kind, particularly against the accident herein before recited, for all loss damage and detriment suffered or to be suffered by for or on account of the said Brig Henry Tate and the goods of her loading, declaring the same to arise from the said accident and not from any insufficiency of the said Brig or any fault mismanagement or neglect of him the said master, or any of the Officers or crew of said vessel; that on the contrary, their utmost endeavours were used to preserve the property committed to their care and to accomplish the said voyage.

Thus done and protested at the city of New Orleans aforesaid in the presence of Felix Pedesclaux and William George Rhode, witnesses, both of this city, who hereunto subscribe their names as such with the above named deponents and me the said Notary, who grant these presents in duplicate with my current Register of Notarial acts according to the law & usage of this state. Thomas Morris being sick with ague & unable to write, makes a mark.

Thomas Boyle

William Campbell

Mark of Thomas Morris (X)

F. Pedesclaux

Wm. Geo. Rhode

Geo. K. Gordon
Not. Pub.

No 605
In Protest
Brig *Henry Tate*
Captn. Boyle
Belfast
June 24th

453

By this Instrument of Protest, Be it known that on this twenty-fourth day of June in the year of our Lord One Thousand Eight Hundred and Twenty eight, Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, Personally appeared Thomas Boyle, lately Master commanding the British Brig or vessel called the *"Henry Tate"*, of Belfast, burthen about Two Hundred and Fifty eight Tons, now lying sunk in the river Mississippi, below this city: The said Master, having reference to his noting of Protest before me and recorded in my office under date of the eighteenth current, declared his wish & intention to extend same Protest; and for that purpose with him also came & appeared William Campbell, the chief Mate, Thomas Morris, the Carpenter, all late of said Brig *Henry Tate*, who having been first severally duly sworn on the Holy Evangelists of Almighty God to declare the truth in the premises, depose on oath and declare as follows, to wit:

That they these deponents, on the seventh day of February last past, sailed in & with the said Brig *Henry Tate* & cargo of sundry merchandises, from the Port of Belfast in Ireland bound for a voyage to this Port of New Orleans, She being tight & staunch well manned and provided for the voyage. That on the twenty first day of same month, at sea, the said Brig was dismasted in a severe gale, and they put into the Port of Lisbon in Portugal, where all the damage sustained in said gale was repaired. That on the Eighth day of April last, at Lisbon aforesaid these appearers made a Protest in the Premises before the British Consul at that place, which Protest is now produced & exhibited, and to which these presents are for and are supplementary.

That they set sail and proceeded from Lisbon on the fifteenth day of April last in & with said vessel & cargo on said destined voyage, She being tight & staunch as aforesaid. Nothing remarkable occurred until the fourth day of June current, when they arrived off the Belize and got a Pilot on Board. They were several days attempting to get the vessel over the Bar, and at five o'clock a.m. of Friday the Thirteenth, they succeeded, and entered the river Mississippi. At noon they arrived at the [illegible]-house, where the Pilot left the vessel, and a River Pilot was engaged & came on board. They proceeded up the river under the direction of the Pilot with a find breeze at Eastward & all sails set. At eight o'clock p.m. same evening, being there about twelve miles above the head of the South-west Pass, close to the Bank to gain the eddy, and going about seven knots, the vessel struck with great force on a snag or fast-log on the right bank, which drove in the Bow-port, entered the hold about six or eight feet and broke off. The vessel sheered off into the stream, and they made every exertion to stop the leak with bedding, blankets, and so forth. They brought the vessel again to the Bank, intending to run her aground, but which they could not affect owing to the great depth of water alongside, they carried the anchor ashore, however, and hove the cable tight to keep the vessel up. They found that a very large breach had been made in the larboard bow, and they were unable to extract the broken log. The water, notwithstanding their utmost exertions, rushed into the vessel in great body, and she was filling fast. When they found it impossible to prevent her filling, the Hatches were opened and they commenced hoisting up packages of the cargo on deck. They could not land any of the cargo, as there was no embankment and the ground was wet and swampy; they therefore kept the goods brought up from the Hold, on deck, in the expectation of a Steamboat or other craft passing which might take them on board. They continued their utmost exertions until the goods in

[Second page] the hold were covered with water. About four o'clock a. m. the vessel went suddenly down and sunk to the Tops, and they had scarcely time to escape from her into the boats. The goods on deck went down with the vessel or were swept off by the current, except a few packages, which they got into the boats and some sails & rigging, which they picked up afloat.

Whereupon the said Master declared to Protest, as by these presents with him I the said Notary do publicly and solemnly Protest against all persons whom the same may or doth concern, against the difficulties and obstructions of the river, and inevitable accidents of whatsoever nature and kind, particularly against the accident herein before recited, for all loss damage and detriment suffered and to be suffered by for or on account of the said Brig *Henry Tate* and the goods of her loading, declaring the same to arise from the said accident and not from any insufficiency of the said Brig or any fault mismanagement or neglect of him the said Master or any of his officers or Crew of said vessel; that on the contrary, their utmost endeavours were used to preserve the property committed to their care, and to accomplish the said voyage.

Thus done and protested at the city of New Orleans aforesaid in the presence of Felix Pederdaux and William George Rhode, witnesses, both of the city who hereunto subscribe their names as such with the above named deponents and me the said Notary, who grant these presents in duplicate with my current Register of Notarial acts according to the law & usage of this state. Thomas Morris being sick with ague & unable to write, makes a mark.

[Signatures] Thomas Boyle, Campbell, Mark of Thomas Morris "X", F. Pederdaux, Henry George Rhode, Hu. K. Gordon, Not. pub

Ventes, aussitôt qu'elle sera parvenue à l'âge de Majorité. 734

Ledit Sieur Maunsel White agissant également en son nom personnel, s'oblige par les présentes, envers la dite acquéreur de faire ratifier la présente vente par Mlle Eliza White, sa fille mineure, et l'une des dites Héritières, aussitôt qu'elle sera parvenue à l'âge de Majorité, se portant fort et caution des faits de la dite Eliza White.

Fait et passé à la Nouvelle Orléans en l'Etude le troisième jour du mois de Novembre de l'année mil huit cent vingt neuf et la cinquante quatrième année de l'Indépendance des Etats Unis d'Amerique en présence de Robert L. Dicson et Joseph Genois, témoins domiciliés en cette Ville qui ont signé avec les parties et le notaire

Maunsel White

mesque Ordonnée
de Rosalie Prevot
Jh Genois

R. L. Dickson

No 884
River Protest.
Henry Martin master of a Flat-boat from Maysville.
Nov. 11.

By this Instrument of Protest, Be it known that on the eleventh day of November in the year of our Lord One Thousand Eight Hundred & Twenty-nine, and Fifty fourth of the Independence of the United States of America, Before me Hugh K. Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, Personally appeared Henry Martin, late master and owner of a certain Flat-boat loaded at Maysville in the State of Kentucky and bound for a voyage to this Port, and with him came John Williamson, a Hand employed on the navigation of said Flat-boat. The said appearers being first by me the said Notary duly sworn to declare the truth, depose on oath and say, —

That in the month of October last the said Flat-boat being tight & staunch was loaded at Maysville aforesaid with about Five Hundred & Forty barrels of Flour, Thirty-three Barrels of Whiskey, Forty-seven Boxes Cigars, a Box of Cotton Gins, a quantity of Bale-rope, Bagging, Yarns, Flax & Tow Linen, — Beeswax, and a quantity of Freight for Lake Concordia. That they there shipped with others, not now present proceeded from Maysville in the with said Boat and cargo, on the tenth day of October last, bound for the Port. The said Boat being well manned and provided, nothing remarkable occurred on board until the Twenty-third of October last, being then in the River Mississippi, at Plum Point. That about dusk, or six o'clock P. M.

p.m. of said day, the boat being then in a very rapid current, they were about to approach a landing place for the night a mile or so ahead, when they observed a snag in their course nearly under water and standing up stream. They threw round the stern of the boat, endeavouring to avoid the snag, but the current carried her with great force against it, and it struck and entered her side above the gunwale. The snag held the boat fast and her upper side was drawn down by the great force of the current, until at length she filled, and the roof bursting off, the cargo floated out. The Hands had only time to escape in the skiff. They hastened to the nearest Dwellings, and engaged all the assistance they could find, to save part of the cargo. The next day the boat floated down, bottom upwards. There was saved about three Hundred and thirty barrels of Flour, about Twenty-six Barrels of Whiskey, the Box of Gins, a Box of Bacon, a Barrel of Vinegar, a Barrel of Rosewater, a bed of Feathers and two Carts. They obtained freight for the articles saved on board of the steam-boat Caledonia for this Port. On the twenty-third of October last aforesaid the said Master noted a Protest in the premises before George Robinson, a Justice of the Peace for Tipton County, State of Tennessee, which is now produced & referred to.

Whereupon there appeared, particularly the said Master, declared & Protest, as by these presents with him I the said Notary do publicly and solemnly protest against all persons whom the same may or doth concern, against the difficulties and obstructions of the river and inevitable accidents of whatsoever nature and kind, particularly against the accident above recited, for all loss damage and detriment suffered or to be suffered or to be suffered by for or on account of the said Flat-boat or the goods of her loading; declaring the same to arise from the said accident, and not from any fault mismanagement or neglect of the said master or any of the hands employed in said boat; that the contrary their best skill & endeavours were used to preserve the property committed to their care, and to accomplish said voyage.

Thus done and protested at New Orleans aforesaid in the presence of Robert L. De Coin and Joseph Genois, witnesses, who hereunto subscribe their names with the said appearers and me the Notary, who grant the presents in duplicate with my current register of notarial acts.

R. L. Delcoin

Henry Martin

Jh. Genois

John Williamson

No. 884
River Protest
Henry Martin
Master of a
Flat-boat
Maysville
Nov. 11

[734] By this Instrument of Protest, Be it known that on this eleventh day of November in the year of our Lord One Thousand Eight Hundred and Twenty-nine, and Fifty fourth of the Independence of the United States of America, Before me Hugh K. Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, Personally appeared Henry Martin, late master and owner of a certain Flat-boat loaded at Maysville in the state of Kentucky and bound for a voyage to this Port, and with him came John Williams, a Hand employed as the navigation of said Flat-boat. The said appearers, being first at his own request duly sworn to declare the truth, depose on with and say,

That in the month of October last the said Flat-boat being tight & staunch was loaded at Maysville aforesaid with about Five Hundred & Forty barrels of Flour, Thirty-three Barrels of Whiskey, Forty-seven Boxes Cigars, a Box of Cotton gins, a quantity of Bale-rope, Bagging, [illegible], Flex & Tow Linen, Bees wax, and a quantity of Freight for Lake Concordia. That they these deponents with others not now present proceeded from Maysville, in & with said Boat and cargo, on the tenth day of October last, bound for this Port. The said Boat being well manned and provided, nothing remarkable occurred on board until the Twenty-third of October last, being then in the River Mississippi, at Plum Point. That about dusk or six o'clock

[735] p. m. of said day, the boat being then in a very rapid current, they were about to approach a landing place for the night a mile or two ahead, when they observed a snag in their course nearly under water and standing up stream. They threw round the stern of the boat, endeavouring to avoid the snag, but the current carried her with great force against it, and it struck and entered her side above the gunwale. The snag held the boat fast and her upper side was drawn down by the great force of the current, until at length she filled, and the roof bursting off, the cargo floated out. The Hands had only time to escape in the skiff. They hastened to the nearest Dwellings, and engaged all the assistance they could find, to save part of the cargo. The next day the boat floated down, bottom upwards. Then was saved about three Hundred and thirty barrels of Flour, about Twenty-six Barrels of Whiskey, the Box of gins, a Box of [illegible], a Barrel of Vinegar, a Barrel of Bees wax, a lode of Feathers and two carts. They obtained freight for the articles [illegible], on board of the steamboat *Caledonia* for this Port. On the twenty- third of October last aforesaid the said Master noted a Protest in the premises before George Robinson, a Justice of the Peace for Tipton County, State of Tennessee, which is now produced & referred to.

Whereupon these appearers, particularly the said Master, declared to Protest, as by these presents with him I the said Notary do publicly and solemnly Protest against all persons whom the same may or doth concern, against the difficulties and obstructions of the river, and inevitable accidents of whatsoever nature and kind, particularly against the accident above recited, for all loss damage and detriment suffered and to be suffered by for or on account of the said Flat-boat or the goods of her loading; declaring the same to arise from the said accident, and not from any fault mismanagement or neglect of him the said Master or any of the hands employed in said boat; that on the contrary, their best skills & endeavours were used to preserve the property committed to their care, and to accomplish said voyage.

Thus done and protested at New Orleans aforesaid in the presence of Robert L. De Coin and Joseph Genois, witnesses, who hereunto subscribe their names with the said appearers and me the Notary, who grant these pursuits in duplicate with my current register of Notarial acts.

[Signatures] R. L. De Coin, J. Genois, Henry Martin, John Williamson

1899 March 14 Magnolia

749

By this Instrument of Protest Be it known that on the Fourteenth day of March in the year of our Lord One Thousand Eight Hundred and Twenty-nine, and Fifty-fourth of the Independence of the United States of America, Before me Hugh K. Gordon Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, Personally came and appeared William Bagley, part owner of the Schooner or vessel called the Magnolia of New Orleans, of the burthen of Thirty-three Tons or thereabouts, and with the said part owner also came Andrew Cunningham, of Pensacola, in the Territory of Florida, a Passenger on board of said Schooner on her late voyage from Magnolia, and St. Marks in said Territory, destined for Pensacola and this place.

The said Andrew Cunningham, being first by me the Notary duly sworn to declare the truth, deposeth on oath and saith, That in the latter part of October last, at Magnolia aforesaid, he engaged a Passage on board of said Schooner from thence to Pensacola, under the command of Captain Nicholas Ray; and that on Saturday evening the thirty-first of October last, they proceeded from Magnolia in and with the said Schooner, having some Cargo of Cotton & Corn and Thirteen Persons on board, including the Passengers & crew, two extra hands and the wife and children of the said Captain Ray; the said Schooner being in the opinion of the deponent tight & staunch, well manned & provided. On Sunday the first of this current month they departed from Saint Marks, and nothing remarkable occurred on board until the evening of Thursday the fifth current, being then off Santa Rosa Island. The weather then became squally, and the sails were close-reefed. At midnight they were nearly opposite the Light-house, with the wind about North, and the vessel close hauled, but standing her course. Between twelve and one o'clock, a sudden and tremendous squall struck the Schooner and she immediately capsized. Deponent and most of the others on board were then on deck. Deponent being at the leeward side near the main chains, was carried under water, and in coming up he was caught by the weather main rigging. The Schooner soon turned keel up, and deponent with great difficulty got hold of the keel and was enabled to keep hold, although the sea washed constantly over him. During the night he heard the cries of people below, and before day-light he saw one man washed away from the keel near the bows. He never saw any of the others alive. Deponent remained in this perilous situation until Saturday the seventh current, when he succeeded in getting to the boat which was also capsized but still remained fast to the stern of the schooner. He got the boat righted, and found her rudder, and also the Oars made fast in her, and having the Light-house still in sight, though distant, he proceeded for it with all his strength, and made the Island the same day. Upon reporting the foregoing, the Revenue Cutter, and Mr. Strong with the sloop Huntsman went off in search of the schooner, which they found, but were unable to right her. On the Monday following Deponent also went off to the Schooner, being then about twenty miles distant, and he found her as he had left her, keel up. A hole had been cut in her, and three bodies taken out of the Cabin, which were afterwards interred at the Island. Deponent being

being unable to recover any of his property from on board, left the Schooner; and it is his opinion, confirmed by those on board of the Revenue Cutter and others at Santa Rosa, that the is a total loss. — Deponent proceeded for this city, where he arrived this morning. —

Whereupon the said William Bagley for himself and the other owners of said Schooner Magnolia, declared to Protest, as by these presents with him I the said Notary do publickly and solemnly protest against all persons whom the same may or doth concern, against the winds & waves and dangers of the seas, and inevitable accidents of whatsoever nature and kind, particularly against the accident hereinbefore recited for all loss damage and detriment suffered or to be suffered by him on account of the said Schooner Magnolia or the goods of her loading on the voyage aforesaid. —

In testimony whereof the said appearers have hereunto subscribed their names in the presence of and together with Robert L. DeLain and Joseph Genois, witnesses, and me the said Notary.

R. L. DeLain A. Cunningham
Wm Bagley
Jh Genois Hu K Gordon
Not. Pub.

No 900
Noting Protest.

Be it known that on this sixteenth day of November eighteen hundred & twenty nine, before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, duly commissioned & sworn, Personally appeared Joshua Swain junior, master of the schooner Swain, of Great Egg Harbor New Jersey, burden seventy tons or thereabouts now lying in this Port. The said Master declared that on the eighth current he left the Port of Mobile in and with said schooner and cargo of Lumber, bound for a voyage to this Port, by way of the river, and arrived on Saturday evening last (the fourteenth current) That he experienced severe weather on the voyage, and lost part of his deck load; and that he now Notes and enters a Protest in the premises, requiring me the Notary to make record thereof, intending at more leisure to detail the particular circumstances which occurred on said voyage. In faith whereof the said master hereunto subscribes his name with me the Notary.

Hu K Gordon. Jos. Swain Jr
Not. Pub.

No. 899
Protest of
Magnolia
Nov. 14th

[746] By this Instrument of Protest, Be it known that on this Fourteenth day of November in the year of our Lord One Thousand Eight Hundred and Twenty nine and Fifty-fourth of the Independence of the United States of America, Before me Hugh K Gordon, Notary Public in and for the Parish & City of New Orleans, State of Louisiana, duly commissioned and sworn, Personally came and appeared William Bagley, part owner of the Schooner or vessel called the *Magnolia of New Orleans*, often burthen of Thirty-three Tons or thereabouts, and with the said part owner also came Andrew Cunningham, of Pensacola, in the Territory of Florida, a Passenger on board of said Schooner on her late voyage from Magnolia, and St. Marks in said Territory, destined for Pensacola and this place.

The said Andrew Cunningham, being first by me the Notary duly sworn to declare the truth, deposeth on oath and saith, That in the latter part of October last, at Magnolia aforesaid, he engaged a Passage on board of said Schooner from thence to Pensacola, under the command of Captain Nicholas Ray; and that on Saturday evening the thirty-first of October last, they proceeded from Magnolia in and with the said Schooner, having some cargo of Cotton & Corn and Thirteen persons on board, including the Passengers & crew, two extra hands and the wife and children of the said Captain Ray; the said Schooner being in the opinion of the deponent tight & staunch, well manned & provided. On Sunday the first of this current month they departed from Saint Marks, and nothing remarkable occurred on board until the evening of Thursday the fifth current, being then off Santa Rosa Island. The weather then became squally, and the sails were close- [illegible]. At midnight they were nearly opposite the lighthouse, with the wind about North, and the vessel close hauled, but standing her course. Between twelve and one o'clock, a sudden and tremendous squall struck the Schooner and she immediately capsized. Deponent and most of the others on board were then on deck. Deponent being at the leeward side near the main chains was carried under water, and in coming up he was caught by the weather main rigging. The Schooner soon turned keel up, and deponent with great difficulty got hold of the keel and was enabled to keep hold, although the sea washed constantly over him. During the night he heard the cries of people below, and before daylight he saw one man washed away from the keel near the bows. He never saw any of the others alive. Deponent remained in this perilous situation until Saturday the Seventh current, when he succeeded in getting to the boat which was also capsized but still remained fast to the stern of the Schooner: He got the boat righted, and found her rudder, and also the oars made fast in her, and having the Light-house still insight, though distant, he proceeded for it with all his strength, and made the Island the same day. Upon reporting the foregoing, the *Revenue Cutter*, and W. Strong with the Sloop *Huntsman* went off in search of the Schooner, which they found, but were unable to right her. On the Monday following deponent also went off to the Schooner, being then about twenty miles distant, and he found her as he had left her, keel up. A hole had been cut in her, and three bodies taken out of the Cabin, which were afterwards interred at the Island. Deponent being unable to recover any of his property from on board, left the Schooner; and it is his opinion, confirmed by those on board of the said *Revenue Cutter* and others at Santa Rosa, that she is a total loss. Deponent proceeded for this city, where he arrived this morning.

Whereupon the said William Bagley for himself and the other owners of said Schooner *Magnolia*, declared to Protest, as by these presents with him I the said Notary do publicly and solemnly Protest against all persons whom the same may or doth concern; against the winds and waves and dangers of the seas, and inevitable accidents of whatsoever nature and kind, particularly against the accidents hereinbefore recited, for all loss damage and detriment suffered and to be suffered by for or on account of the said Schooner *Magnolia* or the goods of her loading on the voyage aforesaid.

In testimony whereof the said appearers have hereunto subscribe their names, in presence of and together with Robert L. DeCoin and Joseph Genois, witnesses, and me the said Notary.

[Signatures] A. Cunningham, Wm. Bagley, R. L. DeCoin, J. Genois,
Hu. K. Gordon, Not. Pub.

UNI

120

Ship Neptune

By this Public Instrument
it is Notorious known and Manifest that
on the 22 day of September in the year of our
Lord 1802. Before me Fred. Minthorn Notary Public
and Qualified Notary Public in and for the City
aforesaid personally came & appeared John
McCullum personally came & appeared John
McCullum Commander of the Ship Neptune of
Baltimore of the burthen of 300 Tons or thereabouts
who Declared that the said Ship being staunch
strong and properly Manned
fitted and Victualled for the Voyage he is to sail
with the said Ship under his Command from
Port Royal in Jamaica on the 29th day of
July last bound for Baltimore with forty eight
Passengers on board, That on the 30th day at
6 P.M. Pollard Point bore N.E. 6 M. the Weather
being hazy and having had no observation
this day, That on the first of August the
day light Moon and hazy Weather, received
with Rain at 6 P.M. Wind light by South
bore N.E. 6 M. could get no observation this
That on the first of the next Moon
and hazy Weather, could get no observation
That on the second of August the day began
with light Wind and hazy Weather, Pattuxent
Pointed N.E. by E. 6 M. that the

had all sail set Stay Sails and Steering Sails fore and aft, that Land being discovered under the Lee Bow, the Stay Sails were immediately hauled down, and the Helm put hard aslam in order to bring the Ship by the Wind, but before the Steering Sails could be taken in and the Yards braced up the Ship struck several times very heavy and fell off from the Wind the Appearance then ordered the after Yards to be Braced up, the head Yards shivered, but that not answering the purpose of bringing the Ship by the Wind, the Larboard Chain was cut away and let go, but the Ship was fast on the S. E. end of the great Caymans and beating so violently heavy that the Pump on sounding had Eighteen Inches of Water in the hold, that at day Break the Boat was got out, sounded the Pump had been there and an Half feet Water in her hold, That the Mate and Six Men went on Shore in the Boat in order to procure assistance if possible but none was to be had except a Small Canoe nearer than Bonden Town which was fourteen Miles distance, that at the return of the boat on board the Ship there was Six feet Water in her hold and she had lost her Rudder, the appearance and Crew then at

too and landed the Passengers which was
accomplished with difficulty as there was a
dangerous Surf to pass over with them. They
also stripped the Ship of her Sails and Rigging
as many as the People could get on Shore
the Vessel then lying at the distance of one
Mile and a half from the Shore That at 10 O'Clk
the Water was above the Ballast in the Ship & the
the last Boat which left the Ship in which was
the appellant one Passenger and five of the
Crew unfortunately was Swamped and the
Mourners drowned to wit John Gibson a Neg
and John Moore a Native of Normandy, That the
appellant took his Passage on board the Saloon
Steam and arrived at New Orleans yesterday
and now elects to Protest requiring me Au
thus the said Notary to record the same when
and where it may be needful & necessary

Affirmed & Sworn that in witness of the
of September personally came and appeared
John Sewell Mate of the said Vessel who
with the said Captain John Connolly
being by me duly Sworn to declare the
declaration and say that the facts therein
set forth are true and true — before me

John Sewell

Whereupon I the said Notary at the request aforesaid have Protested and by these presents do Solemnly Protest as well as aforesaid as the said Henry Meaher getting no Observation and running Off the Shore as against all other persons whom it shall doth or may concern for all Losses Costs Charges Harts Delays Injurys and Damages already suffered and sustained or that shall or may be suffered and sustained thereby

Thus done & Protested before me said Notary

Lucien C Walton
J.P.

Know all Men by these presents that I Wm Mawrenner of the Town of New Orleans for and in consideration of the Sum of Three hundred and Ninety Spanish Milled Dollars to me in hand paid before the Sealing thereof by Laurance Milligan of the Town of New Orleans the have sold a Negro boy named Thomas to the said Laurance Milligan do warrant sound sober boy which said Sale I Warrant and defend against any Claim from any person or persons my Heirs Executors or Administrators and Assigns in testimony whereof I have hereunto set my hand and Seal this twenty first day of September in the year of our Lord one thousand Eight hundred and four in the Town of New Orleans before and

Witness Nicholas Smith
Edmund Hanbury —

Wm Mawrenner

Ship Neptune

[120] By this Public Instrument of Protest be it now known and Manifest that on this 24th day of September in the year of our Lord 1804, Before me Prost. Marshall duly Commissioned and Qualified a Notary Public in and for the City of New Orleans personally came & appeared John Greenwell Commander of the Ship *Neptune* of Baltimore of the burthen of 354 Tons or there about who Declared that the said vessel being stiff stout & sound and strong and properly Manned fitted and victualled for the Voyage he set sail with the said Vessel under his Command from Port Royal in Jamaica on the 29th day of July last bound for Baltimore with forty eight Passengers on board. That on the 30th July at 6 P.M. Port bound Point bore W. E. N. the weather being hazy and Raining had no observation this day. That on the thirty first of July there was light winds and hazy Weather heavy Squalls with Rain at 6 P.M. [illegible] [illegible] by South bore N.E.W., could get no observation this day. That on the first of August there was light Winds and hazy Weather, could get no observation this day. That on the Second of August the day began with light Winds and hazy Weather that nothing occurred till half past one A. M. that the Ship

[121] had all Sail set, Stay Sails and Steering Sails fore and aft, that Land being discovered under the Larboard the Stay sails were Immediately hauled down, and the Helm put hard down in order to Carry the Ship by the Wind, but before the Steering Sails could be taken in and the Yards braced up the Ship struck several [illegible] very heavy and fell off from the Wind. The Appearer then ordered the after Yards to be Braced up, the head Yards [illegible], but that not [illegible] the purpose of bring the Ship by the Wind, the Larboard Anchor was cast away and let go, but the Ship was fast on the S. E. end of the great Caymans and leaking so Violently heavy that the Pump on sounding had Eighteen inches of Water in the hole, that at day break the Boat was got out, sounded the Pump had three and one half feet Water in her hold, That the Mate and Six Men went on Shore in the Boat in order to procure assistance if possible but none was to be had except a [illegible] Canoe nearer than Bowden Town which was fourteen Miles distance, That at the [illegible] of the boat on board the Ship there was Six feet Water in her hold and she had lost her Rudder, the appearer and Crew then set

[122] two men landed the Passengers which was accomplished with difficulty as there was a dangerous reef to pass over with them, They also stripped the Ship of her Sails and Rigging as many as the People could get on Shore, the Vessel than laying out the distance of one Mile and a half from the Shore, That at 10 A.M. the Water was above the Ballast in the Ship's hold, the last boat which left the Ship in which was the appearer one Passenger and five of the Ship's Crew unfortunately was Swamped and two Men were drowned to wit John Gildeau a Negro and John Altore a Native of Normandy, That the appearer took his Passage on board the Schooner *Heroine* and arrived at New Orleans yesterday and now desires to Protest requiring an Act of use the said Notary to award [illegible] when and where it may be useful & necessary.

Afterwards that on this 27th day of September personally came and appeared John Sewell Mate of the said Vessel who [illegible] is all as the said Captain John Greenwell all being by me duly Sworn to declare the truth did depose and say that the facts herewith before set forth are Just and true.

[123] Whereupon I the said Notary at the request of [illegible] [illegible] and by these presents Do Solemnly Protest as well against, as well as the said Hazy Weather getting no observation and running Vessel on Shore and against all other persons whom it shall [illegible] or may concern for all Losses Costs Charges Hurts Delays Injury and Damages already suffered and sustained or that or that shall or may be suffered and sustained Hereby.

Thus done & Protested before me said Notary [Signatures illegible]

N. O.
No 96.
May 12th 1843
Extension of protest p Flat boat
E Mc Donald, Ebenezar King Master
a Williamsport State of Indiana

2cm

United States of America
State of Louisiana
City of New Orleans

By this Public Instrument of Protest

Be it known that on the tenth day of May in the year of our Lord one thousand eight hundred and forty three, and sixty seventh of American Independence.

Before me Lucien Hermann, a Notary Public duly commissioned and sworn

Personally came and appeared Ebenezar King Master of the late Flat boat called E Mc Donald, laden with a Cargo of Hams Beef Prime Pork, Mess pork and Leaf Lard, bound from Williamsport in the State of Indiana, to this City of New Orleans, who noted his protest against the perils & accidents of said passage

And afterwards on this twelfth day of May instant, before me Notary aforesaid, and in the presence of the witnesses hereinafter named and undersigned, again personally came and appeared the said Ebenezar King, who expressed his desire to extend his protest so noted as aforesaid, accompanied with James Wiley the Pilot, Vincent Virgin, George Milligan, and Josiah Campbell all hands employed on board of the late Flat Boat E Mc Donald, and the said appearers after having been duly and solemnly sworn by me the said Notary, declared for truth as follows to Wit

That on the fourteenth day of April last past, they the said appearers left Williamsport State of Indiana aforesaid, in and with said Flat boat being so laden as aforesaid, bound for this Port, that at the time of starting, the said Flat boat was tight staunch and strong was well and sufficiently manned and provided, and in good order and condition for the passage, the said appearer and his crew making all possible progress on their said intended passage

towards this port of New Orleans, nothing worthy of observation occurring until the Twenty seventh day of April following, when on that day in endeavouring to pass through the Horse Shoe cut off in the State of Arkansas, it then blowing hard, the said flat boat came violently in contact with a large and heavy log in consequence of which, the side of the said flat boat, within about four feet from the bow to the stearn, was completely torn out, when she immediately filled with water, turned bottom upwards and then sunk, in deep water.

And notwithstanding this appearer and his crew used every possible exertion and means, for the ultimate preservation of the cargo yet they only succeded in saving fifty eight barrels of Leaf Lard, two barrels of hams one barrel of prime pork and one barrel of mess pork, which this appearer caused to be put on board of the Wabash flat boat and on the twenty ninth day of April, this appearer with his crew again proceded, in said flat Wabash to this City, and arrived on the tenth instant, and prepared for the due delivery of the rennant of the said Cargo

Now therefore because of the premises and as all the loss damage and injury which has happened to the said flat boat and to the Cargo have been occasioned solely by the circumstances hereinabove stated, and cannot and ought not to be attributed to any insufficiency of the said flat boat, or default or neglect of the said Master, the pilot, or of his officers or crew He the said Master now requires me the said Notary to make his protest and this public act thereof that the same may serve and be and remain in full force and virtue as of right shall appertain

And thereupon the said Master did protest, and I the said Notary at his special instance and request do, by these presents publicly and solemnly protest against the dangers and perils on the passage aforesaid, as also and particularly against the circumstance of said flat boat, coming in contact with a large heavy log, thereby tearing the greater part of the larboard side of said flat boat out, in consequence whereof the said flat boat immediately filled with water, and through the unforseen occurrence, the said flat boat as also the major part of the Cargo, became a total loss, and lastly against the damage which has thus unavoidably taken place all which has been more fully described and set forth, and for all other losses costs and expenses damage and injury which the said Master or the owners or freighters of the said flat boat, or any other person

or persons interested or concerned therein already have paid or may hereafter pay sustain incur or be put unto by through or on account of the premises or for which the insurer or insurers of the said flat boat is or are respectively liable to pay or make contribution or average according to custom, or to their respective contracts or obligations so that no part of such losses or expenses already incurred or hereafter to be incurred to fall upon the said Master or on any of his crew _____

Thus done and passed in my Office at the City of New Orleans State of Louisiana aforesaid, on the day and date hereinabove secondly mentioned, in the presence of Chs LaBedoyere Kernion Jr and A Cooper Lewis competent witnesses domiciliated in this City who have hereunto subscribed their names together with the said parties and me Notary after reading the whole ÷ "E McDonald" this reference approved

Ebenezer King master

Barnes Wiley pilot

Benjamin Kemion Jr

Vincent Virgin

George Milligan

Lewis Campbell

A. C. Lewis

W. Kemmy

Nrt. Pub.

N.O. 172
No. 96
May 12th 1843
Extension of protest of Flat boat
E. McDonald, Ebenezar King, Master
@Williamsport, State of Indiana

2 cm United States of America }
State of Louisiana }
City of New Orleans }

__By this Public Instrument of Protest__

_____Be it known that on the tenth day of May in the year of our Lord one thousand eight hundred and forty-three, and sixty seventh of American Independence____

__Before me Lucien Hermann, a Notary Public duly commissioned and sworn__

_____Personally came and appeared Ebenezar King, Master of the late Flat boat called E. McDonald, laden with a Cargo of Hams, Beef, prime pork, Mess pork and leaf lard [high quality lard], bound from Williamsport in the State of Indiana, to this City of New Orleans, who noted his protest against the perils of accidents of said passage.

_____And afterwards on this twelfth day of May instant, before me Notary aforesaid, and in the presence of the witnesses hereinafter names and undersigned, again personally came and appeared the said Ebenzar King, who expressed his desire to extend his protest so noted as aforesaid accompanied with James Wiley the Pilot; Vincent Virgin, George Milligan, and Isiah Campbell, all hands employed on board of the late Flat Boat E. McDonald, and the said appearers after having been duly and solemnly sworn by me the said Notary, declared for truth as follows to Wit____

_____That on the fourteenth day of April last past, they the said appearers left Williamsport, State of Indiana aforesaid, bound for this Port, that at the time of starting, the said Flat boat was tight, staunch, and strong, was well and sufficiently manned and provided, and in good order and condition for the passage, the said appearer and his crew making all possible progress on their said intended passage towards this port of New Orleans, nothing worthy of observation occurring until the Twenty-seventh day of April following, when on that day in endeavoring to pass through the Horseshoe cutoff in the State of Arkansas, it then blowing hard, the said flat-boat came violently in contact with a large and heavy log, in consequence of which, the side of the said flat boat, within about four feet from the bow to the stern, was completely torn out, when she immediately filled with water, turned bottom upwards and then sunk, in deep water.___

_____And not withstanding this appearer and his crew used every possible exertion and means for the ultimate preservation of the cargo yet they only succeeded in saving fifty-eight barrels of Leaf Lard, two barrels of hams, one barrel of prime pork, and one barrel of mess pork, which this appearer caused to be put on board of the Wabash flat boat, and on the twenty-ninth day of April, this appearer with his crew again proceeded, in said flat Wabash to this City, and arrived on the tenth instant, and prepared for the due delivery of the remnant of said Cargo_____

_____Now therefore because of the premises and as all the loss, damage, and injury which has happened to the said flat boat and to the Cargo have been occasioned solely by the circumstances hereinabove stated, and cannot and ought not to be attributed to any insufficiency of the said flat boat, or default or neglect of the said Master, the pilot, or of his officers or crew. He the said Master now requires me the said Notary to make his protest and this public act

thereof that the same may serve and be and remain in full force and virtue as of right shall appertain____

_____And thereupon the said Master doth protest, and I the said Notary at his special instance and request do, by these presents publicly and solemnly protest against the dangers and perils on the passage aforesaid, as also and particularly against the circumstance of said flat boat, coming in contact with a large heavy log, thereby tearing the greater part of the larboard side of said flat boat out, in consequence which the said flat boat immediately filled with water, and through unforeseen occurrence, the said flat boat as also the major part of the Cargo became a total loss, and lastly against the [illegible] on which has thus unavoidably taken place all which has been more fully described and set forth, and for all other loss, costs, and expenses, damage and injury which the said Master or the owners or freighters of the said flat boat, or any other person [173] or persons interested or concerned therein already have paid or may hereafter pay, sustain, incur, or be put into by, through, or on account of the premises or for which the insurer or insurers of the said flat boat is or are respectively liable to pay or make contribution or average according to custom, or to their respective contracts or obligations so that no part of such losses or expenses already incurred or hereafter to be incurred to fall upon the said Master or on any of his crew____

_____This done and passed in my office at the City of New Orleans, State of Louisiana aforesaid, on the day and date hereinabove secondly mentioned, in the presence of Chs. LaBedoyere Kernion Jr. and A. Cooper Lewis, competent witnesses domiciliated in this City who have hereunto subscribed their names together with the said parties and me Notary after reading the whole "E. McDonald" this reference approved.

Charles LaBedoyere Kernion Jr.

A.C. Lewis

Ebenezer King, Master

James Wiley, pilot

Vincent Virgin

George Milligan

Isiah Campbell

Ln. Hermann
Not. Pub.

No. 323
26th Sept. 1846
Protest
At the request of
James Shanklin, master
Schooner Mary Anna.

60

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the twenty sixth day of September in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventy first

Before Me, Lucien Hermann, a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, James Shanklin, master of the Schooner called the Mary Anna and noted in due form of law with me, the undersigned Notary, his PROTEST, for the uses and purposes hereafter mentioned:

Now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said James Shanklin and requires me to extend his Protest, and together with said James Shanklin also come John C. Wilson, mate, Benjamin Brain, seaman, and Charles Thomas Snelling, boy belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Wednesday, the second day of September Eighteen hundred and forty six the said James Shanklin departed in and with the said Schooner master thereof from Charleston, S.C. having on board the said Schooner a cargo of Lumber and bound for the Port of Philadelphia, Penn. that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake;

At four O'clock A. M. on the Day and Date as above written, the Pilot Came on board and soon after got the Schooner underway and left Port having light winds from South East and moderate weather, At nine O'clock A. M. crossed the Bar, discharged Pilot and stood out for Sea; September the third had light breezes and pleasant weather, the fourth, fifth and sixth of September Continued on this Course with nothing material occurring worthy of particular note; On the following day, the Seventh, had wind from North East, At nine O'clock A. M.

Commenced strong gales - single reefed mainsail and furled s
ing sail, At two O'clock a.m. gale still increasing two reefed the
sail and furled mainsail, day ended the same; The eighth of S
her commenced strong gales and heavy sea running - furled the
and hove to under a two reefed foresail, At five O'clock P.M gale
increasing, then reefed mainsail and set it - took in foresail and
hove it, At seven O'clock P.M. the gale had increased and blew a hurri
from west South west, the schooner having her lee bulwarks under water,
vessel at this time labouring, straining and pitching tremendously; Sounded
pumps and found she had sprung a leak, made water so rapidly that
could not keep her free with one pump going constantly, manned the other
pumps and were then enabled to free her by using great exertion, At
night the wind hauled to North North West attended with rain without cu
tion; The wind still blowing a complete hurricane, burst the mainsail
of the bolt rope, made exertions to set the foresail, and while so doing
split from one end to the other; Immediately after it was loosed also
the sail destroyed; At four O'clock a.m. made examination and
two and one half feet of water in her hold; Also examined her sh
heads and found her leaking very badly; Cut away the vessel ma
rigging and sawed the mast about three feet from the deck, also bu
the fore rigging and both masts went over by the vessel for
nine feet, hands employed constantly at the pumps and vessel
very leaky condition; Also threw over deck load; day ended bri

and very squally; The Ninth of September Commenced strong gale from South West by West and very heavy Squalls, the Vessel in the of the sea rolling very heavily; day under the same; The Tenth of September had heavy gales from the Westward, the Schooner driving to the Eastward before the heavy sea that was running, experienced Continued heavy gales during the Night and at day light saw a full rigged Brig to the Windward, hove to under her Maintrysail, set the ensign Union down and was answered by them in same manner; afterward ascertained her to be the Brig Helen McGreed Captain Marston; Latter part of this day the gale abated some, On the eleventh day of September had the wind from the North blowing a gale with a high sea running; The Helen McGreed being in a sinking Condition, they endeavored to abandon her and make on the Schooner Mary Anna, but in launching their Boat it was swamped and lost; Soon after one of the Crew of the Brig named John Valentine succeeded in reaching the Schooner in safety; Remained on board the wreck until the Twelfth day of September, during which time experienced a succession of tremendous gales, the Vessel in a very wrecked Condition, and having no provisions on board that were not spoiled by salt water; On the Thirteenth, gale still Continued, the Vessel a perfect

wreck, and discovered a ship afterwards ascertained to be the St.
Mary, Captain Foster, who bore down to the Schooner, hailed us
and offered to take us on board; accordingly for the preserva
tion of our lives, we abandoned the Vessel and were received
on board the said Ship St. Mary and arrived at this Port of
New Orleans on the Twenty fifth day of September instant
without further disaster.

and the said Vessel master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel _____ or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel _____ or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said master _____ doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, publicly and solemnly protest against Winds, Weather, total loss &c _____

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel _____ or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel _____ the owner or owners of the said Vessel _____ or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel _____ or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said _____ master _____ his officers or crew. _____

Thus done and Protested, at my office in the City of NEW ORLEANS this Twenty sixth _____ day of September _____ in the year of our Lord one thousand eight hundred and forty-six _____ in the presence of Ch. Lamarque Armand St. Armand Pilot Jr. both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. _____

Lamarque Armand St. Armand
Armand Pilot Jr.

James Shanklin Ma
John C. Wilson Ma
Benjamin Sw
Charles Thomas Snelling

A. Hermann
Not. Pub.

No. 323 60
N.O. 26th Septr. 1846
Protest
At the request of
James Shanklin, master
Schooner Mary Anna

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the twenty-sixth day of September in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared James Shanklin, master of the Schooner called the Mary Anna and noted in due form of law with me the undersigned Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said James Shanklin and requires me to extend his Protest, and together with the said James Shanklin also come John C. Wilson, mate; Benjamin Swain, seaman; and Charles Thomas Snelling, boy belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday, the second of September eighteen hundred and forty-six, he, the said James Shanklin departed in and with the said Schooner as master thereof from Charleston, S.C. having on board the said Schooner a cargo of Lumber and bound for the Port of Philadelphia, Penn., that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> At four o'clock A.M. on the day and date as above written, the Pilot came on board and soon after got the Schooner underway and left Port having light winds from South East and moderate weather. At nine o'clock A.M. crossed the Bar, discharged Pilot and stood out for sea; September the third had light breezes and pleasant weather. The fourth, fifth, and sixth of September continued on their course with nothing material occurring worthy of particular note; on the following day, the Seventh, had wind from North East. At nine O'clock A.M. commenced strong gales – single reefed mainsail and furled Flying Jib. At ten o'clock A.M. gale still increasing two reefed the fore sail and furled mainsail; day ended the same. The eighth of September commenced strong gales and heavy sea running – furled the sail and hove to under a two reefer Foresail. At five O'clock P.M. gale increasing, then reefed mainsail and set it – Took in Foresail and furled it; At seven o'clock P.M., the gale had increased and blew a hurricane from West South West, the Schooner having her lee bulwarks under water; the vessel at this time laboring, straining and pitching tremendously. Tried the pumps and found she had sprung a leak, made water so rapidly that they could not keep her free with one pump going constantly, manned the other pumps and were then enabled to free her by using great exertion. At midnight the wind hauled to North North West attended with rain without cessation. The wind still blowing a complete hurricane, bursted the mainsail out of the boltropes, made exertion to set the foresail, and while so doing, it split from one end to the other. Immediately after it was loosed also found the Jib destroyed. At four o'clock A.M. made examination and found two and one-half feet of water in her hold; also examined her [illegible] house[?] and found her leaking very badly; cut away the vessel main rigging and sawed the mast about three feet from the deck; also cut the fore rigging and both masts went over by the Vessel side and were lost; hands employed

constantly at the pumps and Vessel in very leaky condition; also threw over deck load; day ended boisterous [61] and very squally. The Ninth of September commenced strong gale from South West by West and very heavy Squalls, the vessel [left blank by writer] in the [left blank by writer] of the sea rolling very heavily; day ended the same. The Tenth of September had heavy gales from the Westward, the Schooner driving to the Eastward before the heavy sea that was running, experienced continued heavy gales during the Night and at daylight saw a full rigged Brig to the Windward, hove to under her main trysail, set the ensign union down and was answered by them in same manner; afterward ascertained her to be the Brig Helen McLeod, Captain Marston. Latter part of this day the gale abated some. On the eleventh day of September had the wind from the North blowing a gale with a high sea running. The Helen McLeod being in a sinking condition, they endeavored to abandon her and make on the Schooner Mary Anna, but in launching their Boat it was swamped and lost; Soon after one of the crew of the Brig named John Valentine succeeded in reaching the Schooner in safety; Remained on board the wreck until the Twelfth day of September, during which time experienced a succession of tremendous gales, the Vessel in a very wrecked condition, and having no provisions on board that were not spoiled by salt water; on the Thirteenth, gale still continued, the vessel a perfect wreck and discovered a ship afterwards ascertained to be the St. Mary, Captain Foster, who bore down to the Schooner, hailed us and offered to take us on board; accordingly for the preservation of our lives, we abandoned the Vessel and were received on board the said ship St. Mary and arrived at this Port of New Orleans on the Twenty-fifth day of September instant without further disaster,

and the said master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, total loss &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said master, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this twenty-sixth day of September in the year of our Lord one thousand eight hundred and forty-six in the presence of Charles LaBedoyere Kernion Jr., and Armand Pitot Jr. both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

Armand Pitot Jr. James Shanklin, Master

C. LaBedoyere Kernion Jr. John C. Wilson, Mate

Benjamin Swain

Charles Thomas Snelling

Lucien Hermann
Not. Pub.

No. 372
25th Sept. 1846.
Protest
Request of
John, Surviving Mate
Brig Helen McLeod.

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the twenty fifth day of September in the year of our Lord one thousand eight hundred and forty six and of the Independence of the United States of America, the seventy first,

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, John Valentine, a surviving mate belonging to the Brig called the Helen McLeod, of and belonging to Baltimore, Md, and noted in due form of law with me, the undersigned Notary, his PROTEST, for the uses and purposes hereafter mentioned;

Now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said John Valentine and requires me to extend his Protest, and

who, after being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on tuesday, the first of September eighteen hundred and forty six the said John Valentine departed in and with the said Brig Helen McLeod as seaman from Baltimore

having on board the said Brig a cargo of assorted merchandise

and bound for the Port of New Orleans, La, that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Departed from her port of lading on the day and date aforesaid, and proceeded down the Chesapeak Bay from day to day, nothing worthy of note occurring, until the following monday, the seventh of September, at four o'clock P.M. when they stood out for sea, and soon after passed Cape Henry light house, Wind blowing fresh from the North North East and Weather cloudy; Continued on their regular Course and during the same night encountered a tremendous gale of wind from North North East in which the Vessel lost nearly all her Sails and springing a leak, the Vessel

rolling, straining and pitching tremendously and the sea breaking
over her Continually; Crew employed at the pumps as occasion req
red. On the following morning lost her Stern Boat in consequence of sh
ping a very heavy sea. Soon after the wind moderated and veered round
the South West, a very heavy sea running. At ten o'clock a.m. experienc
a tremendous hurricane from South West which threw the Brig on her bea
ends in which situation she remained for about forty eight hours, when sh
again righted. On the Tenth, the wind blowing tremendously during this time
a very heavy sea running, the Vessel leaking very badly, Crew employed Co
tantly at the pumps day and night to endeavour to keep her free, On this fo
day, tenth of September, Weather moderated some, the Vessel at this time nearly
full of water, and leaking so badly as to render it impossible to free her, Pass
the Schooner Mary Annarn the below, also dismasted, hoisted a signal of distr
but Could procure no assistance from her, she being also in a very crippl
Condition. At two o'clock P.M. the master of the Brig Called all hands aft
held a consultation, and it was decided by all of them, that for the preservat
of their lives, it was absolutely necessary to abandon her, accordingly launche
the long boat overboard, and she immediately after swamped, parted her fo
rigging and was lost. At four o'clock finding no means of succor at hand
the Vessel in a sinking Condition, the before mentioned John Valentine and

the hands belonging to the aforesaid Brig passed a line around his boy, Jumped overboard and succeeded in reaching the Schooner Mary Anna in safety, when they made the line fast to a hawser brought it to the Schooner and made it fast in order to endeavour and rescue the persons from the Brig, but the violence of the seas parted the hawser, remained near the wreck all night, the Brig having a signal lantern in the main stay, and on the following morning, the eleventh of September at about eight O'clock a. m, they neared the said Brig Helen McLeod, when the Captain of the Brig Thomas Marston, hailed Captain Sharkland asking him to remain as near the Brig as possible she being nearly full of water and they could stand it no longer, but expected to founder immediately, Soon after a very heavy Squall was seen to strike the said Brig and those on board lost sight of her afterwards, having every reason to suppose that she foundered with all on board, the said John Valentine believing himself to be the only survivor from the said Brig. Remained on board ~~the said~~ Schooner Mary Anna until Saturday afternoon, the twelfth of September, when about four O'clock P. M. the Ship Saint Mary Came alongside and received the said John Valentine on board together with the Crew and officers belonging to the Schooner, all of which

arrived at this Port of New Orleans on this Twenty fifth day of

September instant,

and the said Seaman further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew; and he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, publicly and solemnly protest against Winds, Weather, total loss &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other persons or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations, and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said John Valentine his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS this twenty fifth day of September in the year of our Lord one thousand eight hundred and forty-six in the presence of Charles Sterling Kennion Jr. & Armand Fitot Junr both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Armand Fitot Jr Kennyon Kennion Jr John his X mark Valentine

W. Hermann
Not. Pub.

Sworn to this same day & year, as the twenty fifth of September 1846, before me the said notary, and in the presence of the above named witnesses, Portmaster appearing James Shanklin master of Schooner Mary Anna, who having taken cognizance of the foregoing Protest & have fully read the same to me notary, that every statement & declaration therein made by the said John Valentine & mate of the said Brig Hebe McLeod come in sight of the said Schooner Mary Anna, while the said Brig was off the Coast Valentine to this city, are strictly correct and true and in perfect accordance with the log of the said Schooner Mary Anna. In faith whereof he hereunto signs his name with me notary.

Armand Fitot Jr Kennyon Kennion Jr James Shanklin

W. Hermann Not. Pub.

No. 332 58
N.O. 25th Septr. 1846
Protest
Request of
Valentine, Surviving hand
Brig Helen McLeod

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the twenty-fifth day of September in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared John Valentine, a surviving hand belonging to the Brig called the Helen McLeod, of and belonging to Baltimore, Md., and noted in due form of law with me the undersigned Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said John Valentine and who after being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday, the first of September eighteen hundred and forty-six, he, the said John Valentine departed in and with the said Brig Helen McLeod as seaman thereof from Baltimore having on board the said Brig a cargo of assorted merchandise and bound for the Port of New Orleans, La., that the said vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Departed from her port of lading on the day and date as aforesaid, and proceeded down the Chesapeake Bay from day to day, nothing worthy of note occurring until the following Monday, the seventh of September at four o'clock P.M., when they Stood out for sea and soon after passed Cape Henry light house, wind blowing fresh from the North North East and weather cloudy. Continued on their regular course and during the same night encountered a tremendous gale of wind from North North East in which the vessel lost nearly all her sails and sprung a leak; the vessel rolling, straining, and pitching tremendously and the sea breaking over her continually. Crew employed at the pumps as occasion required. On the following morning lost her stern Boat in consequence of shipping a very heavy sea. Soon after the wind moderated our vessel rounded the South West, a very heavy sea running. At ten o'clock A.M. experienced a tremendous hurricane from South West, which threw the Brig on her beam-ends in which situation she remained for about forty-eight hours, when she again righted. On the Tenth, the wind blowing tremendously during this time, a very heavy sea running, the vessel leaking very badly, crew employed constantly at the pumps day and night to endeavor to keep her free; on this the tenth of September, weather moderated some, the vessel at this time nearly full of water and leaking so badly as to render it unfeasible to free her. Discovered the Schooner Mary Anna on the lee bow, also dismasted, hoisted a signal of distress but could procure no assistance from her, she being also in a very crippled condition. At two o'clock P.M., the master of the Brig called all hands aft, held a consultation, and it was decided by all of them, that for the preservation of their lives, it was absolutely necessary to abandon her, accordingly launched the long boat overboard, and she immediately after parted her fastenings and was lost. At four o'clock finding no means of succor at hand, and the vessel in a sinking condition, the before mentioned John Valentine one of [59] the hands belonging to the aforesaid Brig, passed a line around his body, jumped overboard and succeed in reaching the Schooner Mary Anna in safety, where they made the line fast

to a hawser, brought it to the schooner and made it fast in order to endeavor and rescue the persons from the Brig, but the violence of the seas parted the [hawser]; remained near the wreck all night, the Brig having a signal lantern in the main stay, and on the following morning, the eleventh of September at about eight o'clock A.M., they neared the said Brig Helen McLeod, when the Captain of the Brig Thomas Marston hailed Captain Shankland [*sic*] asking him to remain as near the Brig as possible, she being nearly full of water and they could stand it no longer, but expected to founder immediately. Soon after a very heavy Squall was seen to strike the said Brig and those on board lost sight of her afterwards, having every reason to supposed that she foundered with all on board, the said John Valentine believing himself to be the only survivor from the said Brig remained on board the said Schooner until Saturday afternoon, the twelfth of September, when about four o'clock P.M. the Ship Saint Mary came alongside and received the said John Valentine on board together with the crew and officers belonging to the Schooner, all of which arrived at this Port of New Orleans on this Twenty-fifth day of September instant,

and the said seaman further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, total loss &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said John Valentine, the officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this twenty-fifth day of September in the year of our Lord one thousand eight hundred and forty-six in the presence of Charles LaBedoyere Kernion Jr., and Armand Pitot Jr. both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

Armand Pitot Jr. X John Valentine

C. LaBedoyere Kernion Jr.

Lucien Hermann
Not. Pub.

And on this day to wit, on the twenty-fifth day of September 1846, Before me the said notary and in the presence of the above named witnesses, personally appeared James Franklin [*sic*] master of the Schooner Mary Anna, who having taking cognizance of the foregoing Protest [illegible] and the same declared to me notary, that every statement & declaration therein made by the said John Valentine from the moment the said Brig John McLeod came in sight of the said Schooner Mary Anna, until the arrival of the said Valentine to this city are strictly correct and

true and in perfect accord with the log from the said Schooner Mary Anne. In faith whereof be hereunto signed his name with me, Notary.

E. Florian Malus James Shanklin

C. LaBedoyere Kernion

Lucien Hermann
Not. Pub.

No 19
No. 11th January 1847
Protest
Flatboat Lion
T Sims master

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Ninth day of January in the year of our Lord one thousand eight hundred and forty-Seven and of the Independence of the United States of America, the seventy first Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Thompson Sims of the Flat Boat called the Lion and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Thompson Sims and requires me to extend his Protest, and together with the said Thompson Sims also come Gershom Young Hodge George Folcker Phineas Janney William Roche belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on the twenty fourth day of November 1846 he, the said Thompson Sims departed in and with the said Flat Boat Lion as Master thereof from Beaver, Penn^a. having on board the said Boat a cargo of Oil Cake and bound for the Port of New Orleans, La. that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~masted~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~sea and~~ the voyage she was about to undertake:

Started from Beaver on the day and date aforesaid, and proceeded on her course without disaster or unnecessary delay, and arrived at New Orleans on Thursday the twenty fourth day of December where they made fast at the Levee and remained until the eighth day of January following when they again started with said Boat further down the Mississippi river until they

they arrived at Municipality No 3, and hauled alongside the Ship Ocean at Pier No. 568, where they made fast, and on the following morning, Saturday 9th inst. commenced discharging Cargo from said Flat Boat, and conveyed the same on board Ship Margaret. While thus employed, the Tow-Boat Jefferson, having two vessels in tow, in passing down the river, run her larboard quarter with such force against said Flat Boat as to cause her, said Flat-Boat to sink very soon after, together with the larger portion of her Cargo then on board, every effort to save the property being of no avail. The situation which said Flat Boat occupied was by permission of the Harbor Master.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,**

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Master his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Eleventh day of January in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. La Bedoyère Pernion Jun.r both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Thompson Sims
Gershom Young Hodge
George Folcker
Phineas Barney
William Roche
E. Florian Malus
C. Pernion
Not. Pub.

No. 13 23
N.O. 11th January 1847
Protest
Flatboat Lion
T. Sims, master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the ninth day of January in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Thompson Sims, Master of the Flat Boat called the Lion and noted in due form of law with me, said Notary, his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Thompson Sims and requires me to extend his Protest, and together with the said Thompson Sims also come Gershom Young Hodge, Serge Folcher, Phineas Janney, William Roche, belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the twenty-fourth day of November, 1846 he, the said Thompson Sims departed in and with the said Flat Boat Lion as Master thereof from Beaver, Penna. having on board the said Boat a cargo of Oil Cake and bound for the Port of New Orleans, La., that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Started from Beaver on the day and date aforesaid, and proceeded on her course without disaster or unnecessary delay, and arrived at New Orleans on Thursday the twenty-fourth day of December where they made fast at the Levee and remained until the eighth day of January following when they again started with said Boat further down the Mississippi river until they arrived at Municipality No. 3 [below Esplanade Ave.], and hauled alongside the Ship Ocean at Pier No. 568, where they made fast, and on the following morning, Saturday 9th inst. commenced discharging Cargo from said Flat Boat, and conveyed the same on board Ship Margaret. While thus employed, the Tow-Boat Jefferson, having two vessels in tow, in passing down the river, run [*sic*] her larboard quarter with such force against said Flat Boat as to cause her, said Flat Boat, to sink very soon after, together with the larger portions of her Cargo then of board, every effort to save the property being of no avail. The situation which said Flat Boat occupied was by permission of the Harbor Master,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Flat Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo,

or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Eleventh day of January in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion, Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

C. LaBedoyere Kernion Jr.

Thompson Sims

Gershom Young Hodge

George Folcker

Phineas Janney

William Roche

Lucien Hermann
Not. Pub.

No. 24
N. O. 14th January 1847
Protest
Hull Phenix Barge
J Dryden master

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Eleventh day of January in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the Seventy first

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, James Dryden master of the Hull called ~~the~~ Phenix Barge, and declared that on the 6th day of January 1847, he noted in due form of law with Littleton Martin, Notary, in and for Sterling, Philips Co. State of Arkansas his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said James Dryden and requires me to extend his Protest, and together with the said James Dryden also come William Miller, and John S. Thorn, Clerk —

belonging to the aforesaid Barge all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Friday, the First day of January 1847

he, the said James Dryden departed in and with the said Barge as Master thereof from Louisville, Ky

having on board the said Barge a cargo of Merchandise

and bound for the Port of New Orleans

that the said Barge was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

Departed from Louisville on the day and date as aforesaid, and proceeded down the Ohio twee in tow of Steam Boat Phenix, without accident or unnecessary delay, until about mid=night on the 5th of January 1847, while laying at Sterling, at the Bank of the Mississippi near the mouth of St. Francis River, Ark: the said Barge or Hull, so called, was sunk by a raft coming

in contact, striking said Barge with such force as to crush in her side, all efforts to prevent the disaster proving of no avail. After the accident, every exertion in their power was made to save property — employed extra hands from shore, got out part of the Cargo from the wreck, put the same on board the Steamboat Phenix, which has since arrived and the Cargo delivered to the Consignees in this City. Also employed hands to remain by the wreck to endeavor to save all the remaining property, to whom orders have been given to reship for New Orleans whatever of such as may be saved from said Barge. A large portion of the same has been recovered and since received by the Consignees.

Know All men by these presence that the Steamer "Phoenix" on her Voyage from Cincinnati to New Orleans Having a Barge or Hull of A Boat in Tow Landed and made fast to shore at the town of Sterling in the State of Arkansas Phillips Co near the Mouth of St. Francis River on the Mississippi River the night of the 5th January 1847 about 12 O Clock for the purpose of landing Freight & Passengers the said Barge or Hull Laden with Bacon Pork and Poultry Horses

and Towed on the Starboard side of the Str "Phoenix" being the outer or River side. A Raft floating down the Mississippi opposite the above named place came in Contact with said Barge or Hull on her Starboard side and damaging her so as to cause her to sink immediately in about Fathoms of water every exertion possible being made by Capt Dryden and his Crew of the Phoenix to keep her afloat

The above named freight was shipped at the Port of Louisville Ky. By Chas A Clerk of Str "Simon Newton" and Consigned to Messrs. Wilson & Gleason, Pannell & Brothers, Hewitt & Heran & Co Schultz Hadden & Lack of New Orleans

Dated at Sterling Phillips County State of Arkansas this 6th day of Jany. 1847

John New 1st Clerk of Str "Phoenix"

Sworn to and subscribed before me an acting Justice of the peace for said County Lit. Martin J.P.

I Jacob Fesk being sworn says on oath that the above Statement is true Sworn to this Jany 6th 1847 Jacob F. Fesk

Lit Martin J.P.

I John S Thom after being duly sworn doth say on oath that the above Statement is true Sworn & subscribed this 6th day of Jan 1847.

Lit Martin J.P. John S Thom

I John Tull being duly sworn says on oath that the above statement is true in all particulars
Sworn to and subscribed before me an acting Justice of the Peace for said County this 6th Jany - 1847 John Tull
Lit Martin J P

I James Dryden being sworn says on oath that the above statement is true
Sworn to and subscribed this 6th January AD 1847 James Dryden
Lit Martin J.P.

I James Little being sworn says that the above statement is true
Subscribed and sworn to this 6th Jany AD 1847 James Little
Lit Martin J.P. 2d Mate

I Andrew Conner being sworn says on oath that the above statement is true
Sworn to and subscribed this 6th Jany 1847
Lit Martin J.P. A W Conner 1st Mate

State of Arkansas } S.S.
County of Phillips } I Lorenzo D. Madden Clerk of the Circuit Court within and for the County aforesaid do hereby

certify that Littleton Martin whose signature
appears to the within testimony and before whom
the same purports to have taken is and was
at the time of signing his name to the within
testimony an acting Justice of the Peace within
and for said County duly commissioned and
qualified and that full faith and credit
are due and should be given to all his
official acts as such.

In Testimony Whereof I have
hereunto set my hand as Clerk
and affixed the seal of said
Circuit Court at my office
in Selma this 6th day of
January A.D. 1847

L. D. Maddox Clerk

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Barge or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Barge or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** and sinking by being struck by a raft.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Barge or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Barge the owner or owners of the said Barge or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Barge or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Master his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Fourteenth day of January in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Honoré Mates and R. La. Bedogère Hernia A. both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Miles Dayton
William Miller
John S. Thorn
E. Honoré Mates
Wm Hernia
Mt. Pub.

No. 24 43
N.O. 14th January 1847
Protest
Hull Phenix Barge
J. Dryden, master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eleventh day of January in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared James Dryden, Master of the Hull called the Phenix Barge, and declared that on the 6th day of January 1847, he noted in due form of law with Lilleton Martin, Notary, in and for Sterling, Philips Co., State of Arkansas his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said James Dryden and requires me to extend his Protest, and together with the said James Dryden also come William Miller, and John S. Thorn, Clerk, belonging to the aforesaid Barge all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Friday, the First day of January 1847 he, the said James Dryden departed in and with the said Barge as Master thereof from Louisville, Ky. having on board the said Barge a cargo of Merchandise and bound for the Port of New Orleans, La., that the said Barge was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Departed from Louisville on the day and date as aforesaid, and proceeded down the Ohio river in tow of Steam Boat Phenix without accident or unnecessary delay, until about midnight on the 5th of January 1847. While laying at Sterling, at the Bank of the Mississippi near the mouth of St. Francis River, Ark., the said Barge or Hull, so called, was sunk by a raft coming in contact, striking said Barge with such force as to crush in her side, all efforts to prevent the disaster proving of no avail. After the accident, every exertion in their power was made to save property – employed extra hands from shore, got out part of the cargo from the wreck, put the same on board the Steamboat Phenix, which has since arrived and the cargo delivered to the consignees in this City. Also employed hands to remain by the wreck to endeavor to save all the remaining property, to whom orders have been given to reship for New Orleans whatever of such as may be saved from said Barge. A large portion of the same has been recovered and since received by the Consignees,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Barge or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Barge or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, and sinking by being struck by a raft and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Barge or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Barge the owner or owners of the said Barge or the owners, freighters

or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Barge or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Fourteenth day of January in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion, Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

C. LaBedoyere Kernion Jr.

James Dryden

William Miller

John S. Thorn

Lucien Hermann
Not. Pub.

Know All men by these presence that the Steamer "Phoenix" on her Voyage from Cincinnati to New Orleans, Having a Barge or Hull of A Boat in Tow Landed and Made fast to shore at the town of Sterling in the State of Arkansas, Phillips Co., near the Mouth of St. Francis River on the Mississippi River the night of 5th January 1847 about 12 o'clock for the purpose of landing Freight & Passengers, the said Barge or Hull Laden with Bacon, Pork, Lard, Poultry, Horses.

And, Towed on the Starboard side of the Str. "Phoenix" being the outer or River side, A Raft floating down the Mississippi opposite the above named place came in contact with said Barge or Hull on her Starboard Side and damaging her so as to cause her to sink immediately in about [left blank by writer] Fathoms of water, every exertion possible being made by Capt. Dryden and his crew of the Phoenix to Keep her afloat.

The above named Freight was shipped at the Port of Louisville Ky. By [left blank by writer] Church, Clerk of Str. "Simon Kenton" and consigned to Mssrs. Wilson & Gleason, Panncler & Brothers, Hewitt & Heran & Co., Schultz, Hadden & Leach of New Orleans.

Dated at Sterling, Phillips County, State of Arkansas this 4th of Jany. 1847.

John J. New, 1st Clerk of Str. "Phoenix"

Sworn To and subscribed before me, an acting Justice of the Peace for said County.

Lit. Martin J.P.

I, Jacob Fesk, being sworn says on oath That the above Statement is true, sworn to this Jany. 6th 1847.

Jacob Fesk
Lit. Martin J.P.

I, John S. Thorn, after being duly sworn doth say on oath that the above statement is true, sworn & subscribed this 6th day of Jany./47.

John S. Thorn

I, John Lull, being duly sworn says on oath that the above statement is true in all particulars. Sworn to and subscribed before me, an acting Justice of the Peace for said County, This 6th Jany./47.

John Hull
Lit. Martin J.P.

I, James Dryden, being sworn says on oath that the above statement is true in all particulars. Sworn to and subscribed before me, an acting Justice of the Peace for said County, This 6th Jany./47.

James Dryden
Lit. Martin J.P.

I, James Little, being sworn says that the above statement is true in all particulars. Subscribed and sworn to This 6th Jany. 1847.

James Little
2nd Mate

I, Andrew Conner, being sworn says on oath that the above statement is true in all particulars. Sworn to and subscribed this 6th Jany. 1847.

Andrew Conner
Lit. Martin J.P.

State of Arkansas }S.S.
County of Phillips }

I, Lorenzo D. Maddox, Clerk of the Circuit Court within and for the County aforesaid do hereby certify that Littleton Martin whose signature appears to the within testimony and before whom the same purports to have taken is and was at the time of signing his name to the within testimony an acting Justice of the Peace within and for said County, duly commissioned and qualified and that full faith and credit are due and should be given to all his official acts as such.

In Testimony Whereof I have hereunto set my hand as Clerk and affixed the seal of said Circuit Court at my office in Helena this 6th day of January A.D. 1847.

L.D. Maddox, Clerk

A.C. 99
A.D. 18th February 1847
Protest
Schooner Ashland
W. Thompson master.

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Fifth day of February in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the seventy first

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, William Thompson, Master of the Schooner called the Ashland and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Wm. Thompson and requires me to extend his Protest, and together with the said Thompson also come Jeremiah Wright, mate, Richard L. Buell and Chauncy Kelsey, Seamen,

belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Sunday the 10th day of January 1847, civil time, he, the said Wm. Thompson departed in and with the said Schooner Ashland as Master thereof from Appalachicola, Fa.

having on board the said vessel a cargo of Cotton and Tobacco

and bound for the Port of New Orleans, La.
that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got under way on the day and date as aforesaid, with pilot on board and proceeded over the bar, discharged pilot and stood out to sea with fresh breezes from S. by E. On Monday morning at 8 P.M., sea time, sounded the Cape St. Blas, when the wind increased and changed to the North, and remained about the same until 11 P.M. when it commenced blowing a violent gale from the same quarter, which continued without intermission during the remaining part of this day. On Tuesday 12th Jany. gale still continuing from the same point, and the weather very boisterous. Latter part of the day, wind hauled to N.N.E. blowing heavily with a high sea running. Continued sounding until 3.30 A.M. when the water suddenly shoaled, and they found

but 7 fathoms water, and although very dark and misty at this time, they discovered breakers just ahead. Immediately put the vessel in stays, but she missed and they then attempted to wear, in doing which the vessel struck the bottom and drove on a bar, the sea running very high and beating violently, forcing the Schooner over the bar on to the beach, continuing to drive her higher up until she remained hard and fast. Soon after daylight they got the passengers ashore, and found they were on the South Chandelier Island, having drifted out of their course in consequence of an unusually strong Northerly current. The Master immediately procured a Boat from the Island, and engaged her to proceed to New Orleans to get cables, anchors, tackle, steam boats and other assistance to aid in discharging the Cargo and if possible to get the Schooner afloat. A person was accordingly sent with the Boat and arrived at New Orleans, when all despatch was used to procure the necessary assistance of anchors, cables &c. They however found it impossible to engage a steam boat, as the proprietors considered it too great a risk to send one there; and therefore for a lighter, he chartered the Sch: Mary. On Tuesday, Jan.y 19th the said Lighter arrived at the wreck, and anchored abreast of the Ashland outside the bar, when they commenced conveying to the wreck the cables and anchors which they had brought from New Orleans, but before they had finished doing so, a violent gale sprung up from the North which caused them to drag their anchors; and to prevent the Lighter from going ashore, they were obliged to get under way and stand out to sea. After laying off and on for some time, the severity of the gale obliged them to seek a harbour at Pass à L'Outre, where they remained until the gale moderated, when they again set sail and stood for the wreck and anchored inside the Island off the mouth of a Bayou. During this latter gale, the

Ashland was driven on the top of a very high tide further on to the beach, where she now remains high and dry, buried nearly six feet deep in the sand.

On the arrival of the Lighter the second time, they commenced discharging the Cargo from the wreck and sending it on board said Lighter to the amount of 101 Bales of Cotton and 28 Boxes of Tobacco, which was about half the amount of the Cargo, and all said Lighter could safely carry; with which she proceeded to New Orleans with all despatch and arrived there on Thursday 4th February and discharged the goods. The Captain having taken proper advice, used every means to induce persons to contract for getting the "Ashland" afloat, but without success in consequence of her hopeless situation. Accordingly he deemed it for the interest of all concerned to strip her, and the said Lighter Mary not being of sufficient burthen to take the remaining part of the Cargo together with the sails, rigging, furniture &c. off the wreck, he discharged her, and employed the Schooner Burissa, and with her returned to the "Ashland", received on board the balance of the Cargo, sails, rigging &c. and with the same arrived at New Orleans on the 16th February.

The entire Cargo, by great and continued exertions of the Master and those employed by him was preserved with very little injury.

Having stripped the Schooner, the Master left her in charge of a person to prevent her from being plundered &c. until advices are received from the Underwriters in New York, or until she is sold — said person to receive for his services $2 — for every twenty four hours.

and the said master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** Stranding &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said William Thompson his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this eighteenth day of February in the year of our Lord one thousand eight hundred and forty-seven — in the presence of C. Honian Malus and C. La Bédoyère Fernon Jr. both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Thos. Jaque Fernon Jr.

William Thompson

Jeremiah Wright

Richard L. Burell

Chauncey Helsey

C. Honian Malus

Wm Hermann

Not. P.

No. 99 191
N.O. 18th February 1847
Protest
Schooner Ashland
W. Thompson, master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fifth day of February in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared William Thompson, Master of the Schooner called the Ashland, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Wm. Thompson and requires me to extend his Protest, and together with the said Thompson also come Jeremiah Wright, mate; Richard L. Buell and Chauncey Kelsey, seamen, belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Sunday the 10th day of January 1847, civil time, he, the said Wm. Thompson departed in and with the said Schooner Ashland as Master thereof from Appalachicola [*sic*], Fla. having on board the said vessel a cargo of Cotton and Tobacco and bound for the Port of New Orleans, La., that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Got underway on the day and date as aforesaid, with pilot on board and proceeded over the bar, discharged pilot and stood out to sea with fresh breezes from S. by E. On Monday morning at 8 P.M., sea time, sounded the Cape St. Blas, when the wind increased and changed to the North, and remained about the same until 11 P.M. when it commenced blowing a violent gale from the same quarter, which continued without intermission during the remaining part of this day. On Tuesday 12th Jany. gale still continuing from the same point, and the weather very boisterous. Latter part of the day, wind hauled to N.N.E. blowing heavily with a high sea running. Continued sounding until 3:30 A.M. when the water suddenly shoaled, and they found but 7 fathoms water, and although very dark and misty at this time, they discovered breakers ahead. Immediately put the vessel in stays, but she missed and they then attempted to wear, in doing which the vessel struck the bottom and drove on a bar, the sea running very high and beating violently, forcing the schooner over the bar on to the beach, continuing to drive her higher up until she remained hard and fast. Soon after daylight, they got the passengers ashore, and found they were on the South Chandeleur Island, having drifted out of their course in consequence of an unusually strong northerly current. The master immediately procured a Boat from the Island, and engaged her to proceed to New Orleans to get cables, anchors, tackle, steamboats, and other assistance to aid in discharging the cargo and if possible to get the schooner afloat. A person was accordingly sent with the Boat and arrived at New Orleans when all dispatch was used to procure the necessary assistance of anchors, cables, &c. They however found it impossible to engage a steamboat, as the proprietors considered it too great a risk to send one there; and therefore for a Lighter, he chartered the Schn. Mary. On Tuesday, Jany. 19th the said Lighter arrived at the wreck and anchored abreast of the Ashland outside the bar, when they commenced conveying to the wreck the cables and anchors which they had brought from New Orleans, but before they had finished doing so, a violent gale

sprung up from the North, which caused them to drag their anchors; and to prevent the Lighter from going ashore, they were obliged to get under way and stand out to sea. After laying off and on for some time, the severity of the gale obliged them to seek a harbor at Pass à L'Outre, where they remained until the gale moderated, when they again set sail and stood for the wreck and anchored inside the Island off the mouth of a Bayou. During this latter gale, the [192] Ashland was driven on the top of a very high tide further on to the beach, where she now remains high and dry, buried nearly six feet deep in the sand.

One the arrival of the Lighter the second time, they commenced discharging the Cargo from the wreck and sending it on board said Lighter to the amount of 101 Bales of Cotton and 28 Boxes of Tobacco, which was about half the amount of the Cargo, and all said Lighter could safely carry; with which she proceeded to New Orleans with all dispatch and arrived there on Thursday 4th February and discharged the goods. The Captain having taken proper advise, used every means to induce persons to contract for getting the "Ashland" afloat, but without success in consequence of her hopeless situation. Accordingly he deemed it for the interest of all concerned to strip her, and the said Lighter Mary not being of sufficient burthen to take the remaining part of the Cargo together with the sails, rigging, furniture &c. off the wreck, he discharged her, and employed the Schooner Burissa, and with her returned to the "Ashland," received on board the balance of the Cargo, sails, rigging &c. and with the same arrived at New Orleans on the 16th February.

The entire Cargo, by great and continued exertion of the Master and those employed by him was preserved with very little injury.

Having stripped the Schooner, the Master left her in charge of a person to prevent her from being plundered &c. until advices are received from the Underwriters in New York, or until she is sold – said person to receive for his services $2 – for every twenty-four hours,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said William Thompson, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this eighteenth day of February in the year of our Lord one thousand eight hundred and forty-seven in the presence

of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

C. LaBedoyere Kernion Jr.

William Thompson

Jeremiah Wright

Richard L. Buell

Chauncey Kelsey

Lucien Hermann
Not. Pub.

No. 144
N.O. 9th March 1847
Protest
Schooner A. B. Cooley
H. Parker, master
Copy
for mail tomorrow
19th March

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Sixteenth day of February in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the seventy first

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Herman Parker Master of the Schooner called the A. B. Cooley

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Herman Parker and requires me to extend his Protest, and together with the said Herman Parker also come Reuben Williams, Mate — Thomas Christopher Seaman, and Horace P. Vandepool Steward

belonging to the aforesaid vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on the fourth day of February 1847 he, the said Herman Parker departed in and with the said Schooner A. B. Cooley as Master thereof from Brazos St. Iago

having on board the said vessel ~~a cargo of~~ Ballast

and bound for the Port of New Orleans La.

that the said vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got under way on the day aforesaid and proceeded to sea. Arrived at and passed in over the bar at the S. W. Pass of the river Mississippi in charge of a pilot on Tuesday Feby 9. The wind being fair continued up the river about thirty miles, when, at 4 O'clock P. M. being opposite Wilder's Bayou they suddenly struck some hidden substance in the river with such a

force that it perforated the vessel's bottom near the keelson. The Schooner immediately swung clear, and the water rushed in so fast, that the Master, perceiving she was in a sinking condition, made for the shore and run her aground, where she sunk in less than thirty minutes after the time of the disaster. A Pilot Boat came along side soon after and the Master of the Schooner took passage in her for New Orleans where he procured cables, anchors, purchase blocks, empty casks &c. and with them returned to the wreck, and with the assistance of a Lighter attempted to get the vessel afloat. But after two days fruitless exertions, and losing an anchor, parting hawser &c. they were obliged to abandon their efforts, as the vessel besides being full of water had settled so deep into the mud, it was impossible to move her. Thereupon the Master, after offering to contract with persons for raising the vessel, whose demands

for making the attempt were considered by him too exhorbitant, and after ~~[illegible]~~ consultation ~~[illegible]~~, determined to strip her of her sails, rigging and furniture and sell the whole at Auction for the benefit of all parties concerned. which was accordingly done —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** Stranding &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Hermon Parker his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Ninth day of March in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. Ga. Bidozen Hermann Jr. both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Hermann Parker

Reuben Williams

Thos Christopher

Horace P Vandapool.

C. Hermann Jr.

E. Florian Malus

Wm Hermann

Not. Pub.

No. 144 281
N.O. 9th March 1847
Protest
Schooner A.B. Cooley
H. Parker, master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Sixteenth day of February [elsewhere date noted as 03-09-1847] in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Herman Parker, Master of the Schooner called the A.B. Cooley, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Herman Parker and requires me to extend his Protest, and together with the said Herman Parker also come Reuben Williams, mate; Thomas Christopher, seaman; and Horace P. Vanderpool, Steward, belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the fourth day of February 1847 he, the said Herman Parker departed in and with the said Schooner A.B. Cooley as Master thereof from Brazos St. Jago [Tx.] having on board the said vessel Ballast, and bound for the Port of New Orleans, La., that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Got underway on the day aforesaid and proceeded to sea. Arrived at and passed in over the bar at the S.W. Pass of the river Mississippi in charge of a pilot on Tuesday Feb. 9. The wind being fair continued up the river about thirty miles when, at 4 o'clock P.M. being opposite Wilder's Bayou [Plaquemine Parish] they suddenly struck some hidden substance in the river with such force that it perforated the vessel's bottom near the keelson. The Schooner immediately swung clear, and the water rushed in so fast that the master, perceiving she was in a sinking condition, made for the shore and run her aground where she sunk in less than thirty minutes after the time of the disaster. A pilot Boat came alongside soon after and the master of the Schooner took passage in her for New Orleans where he procured cables, anchors, purchase blocks, empty casks &c and with them returned to the wreck, and with the assistance of a lighter attempted to get the vessel afloat. But after two days fruitless exertions, and losing an anchor, parting hawser &c. they were obliged to abandon their efforts, as the vessel besides being full of water had settled so deep into the mud it was impossible to move her. Thereupon the master, after offering to contract with persons for raising the vessel, whose demands [282] for making the attempt were considered by him too exorbitant, and after consultation, determined to strip her of her sails, rigging, and furniture and sell the whole at auction for the benefit of all parties concerned, which was accordingly done~~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the

said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Herman Parker, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this ninth day of March in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

C. LaBedoyere Kernion Jr.

Herman Parker

Reuben Williams

Thos. Christopher

Horace P. Vanderpool

Lucien Hermann
Not. Pub.

No. 154
N.O. 15th March 1847
Protest
S.B. Duke of Orleans
Benj. M. Holmes master

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the Seventy first Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Benjamin M. Holmes Master of the Steam Boat called the Duke of Orleans, and declared that on the seventh day of March, inst he noted in due form of law with William S. Watson a Justice of the Peace in and for the County of Cape Girardeau, Mo. his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Benjamin M. Holmes and requires me to extend his Protest, and together with the said Benjamin M. Holmes also come Edmund Holmes, second Mate, J. A. Buckman, Clerk, Henry A. Eaton, Pilot, James Russell, Pilot, Daniel Killian, Carpenter, J. M. Currier, Engineer, and James Baringer, Watchman, belonging to the aforesaid Steam Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on the Fourth day of March 1847 he, the said Benjamin M. Holmes, departed in and with the said Steam Boat Duke of Orleans as Master thereof from St. Louis, Mo. having in tow the Barge called the George Washington having on board the said Barge a cargo of Merchandise and bound for the Port of New Orleans La. that the said Barge was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for the voyage she was about to undertake:

Left St. Louis on the date aforesaid and proceeded down the river Mississippi until the 6th instant at half past 6 A. M., when about sixteen miles above Cape Girardeau, they discovered that said Barge had, from some cause unknown, commenced leaking very fast,

and had at the time of the discov=
ery about one inch of water over
her dunnage plank, although the
pumps had been tried a few minutes
previous and the Barge found
perfectly dry. The water rushed
in so rapidly, that notwithstanding
every effort was made by the Master
and crew to prevent disaster, the
Barge sunk in a very few minutes
in about twelve feet of water, where
she now lies in a very bad situa=
tion. A small portion of the Cargo
part of which ~~was~~ has been brought to this City by the said Duke of Orleans, and that
only has been saved, which was
landed on the Shore will be forwarded
to this Port as soon as conveyance
can be procured.

State of Cape Girardeau } This day personally appeared
before me William S Watson a Justice of the peace and being
duly Commissioned and Sworn for the County of Cape Girardeau
and State of Missouri, Benjamin M. Holmes master
Henry Eaker Pilot John Mattingly mate James-
Russell Pilot F. C Brookman Clerk Daniel Killian
Carpenter John Connor & William Holmes Engineers
& James Beminger Watchman Who being duly
Sworn do make the following Statement upon
Oath— That on the morning of the Sixth day
of March A.D. 1847. about 6½ Oclock in the
morning of said day while decending the
Mississipi River about 16 miles above Cape
Girardeau, the said Barge George Washington
or So Called Towed by the steam Boat Duke of
Orleans whilst under way, was discoverd to be
making water very freely, when discoverd
about one or one and half inches over the dunage
plank, the pumps had been sucked a few
minutes previously, When appearently she was
perfectly tight, about one minute after
discoverd to be making water she Sunk in
about twelve or Sixteen feet water

Said Barge was well manned and Jacketed and Every effort was made to save said Barge and Cargo but was unavailing and the accident must be cosidered one of the unavoidable dangers of the River

Therefore I. William S Watson a justice of the peace as afforesaid do hereby Protest against all and singular the dangers of the River. unavoidable accidents damages losses and claims of any person or persons whatsoever by reason of the afforesaid accident

Sworn to and subscribed before me this 7th day of March A.D. 1847—

William S. Watson
Justice of the Peace

Benjamin M Holmes master (Seal)
Henry A Eaton Pilot (Seal)
John Mattingly mate (Seal)
James Russell Pilot (Seal)
H C Bruestman clk (Seal)
Paul William carpenter (Seal)
John Conway Eng (Seal)
M Holmes Eng (Seal)
James Barringer witness (Seal)

320-1

State of Missouri
County of Cape Girardeau } S.S.

I, William S Watson
a justice of the peace and
being duly commissioned and sworn for the County
of Cape Girardeau and State of Missouri residing
in the City of Cape Girardeau in said State do hereby, Certify
that the foregoing Instrument of Protest was made
and entered before me according to law this 7th day of
March 1847

In Testimony whereof I have hereto set
my hand and seal at the City of Cape Girardeau
the day and year aforesaid

William S. Watson
Justice of the Peace

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Barge or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Barge or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** Leaks, &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Barge or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Barge the owner or owners of the said Barge or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Barge or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations: and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Benjamin M. Holmes his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. La Widoyée Vernon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

C. Vernon

E. Florian Malus

Benjamin M. Holmes Master

Edmond Nix Lt

L. Holmes Mate

Frank

B. Abrahamson Clk

James Barringer

Henry O. Ealer Pilot

H. W. Turner Engineer

James Rugeldt Pilot

Daniel Killian Carpenter

N. Hennessy

Not. Pub.

No. 154 319
N.O. 15th March 1847
Protest
S.B. Duke of Orleans
Benj. M. Holmes master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Benjamin M. Holmes, Master of the Steam Boat called the Duke of Orleans, and declared that on the seventh day of March, inst. he noted in due form of law with Williams S. Watson, a Justice of the Peace in and for the County of Cape Girardeau, Mo. his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Benjamin M. Holmes and requires me to extend his Protest, and together with the said Benjamin M. Holmes also come Edmund Holmes, second mate; F.A. Brookman, Clerk; Henry A. Ealer, Pilot; James Russell, Pilot; Daniel Killian, Carpenter; J.M. Currier, Engineer; and James Barringer, Watchman, belonging to the aforesaid Steam Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the fourth day of March 1847 he, the said Benjamin M. Holmes departed in and with the said Steam Boat Duke of Orleans as Master thereof from St. Louis, Mo., having in tow the Barge called the George Washington and having on board the said Barge a cargo of Merchandise, and bound for the Port of New Orleans, La., that the said Barge was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Left St. Louis on the date aforesaid and proceeded down the river Mississippi until the 6th instant at half past 6 A.M., when about sixteen miles above Cape Girardeau, they discovered that said Barge had, from some cause unknown, commenced leaking very fast, and had at the time of the discovery about one inch of water over her dunnage plank, although the pumps had been tried a few minutes previous and the Barge found perfectly dry. The water rushed in so rapidly that notwithstanding every effort was made by the Master and crew to prevent disaster, the Barge sunk in a very few minutes in about twelve feet of water, where she now lies in a very bad situation. A small portion of the Cargo only has been saved, part of which has been brought to this City by the said Duke of Orleans, and that which was landed on the shore will be forwarded to this port as soon as conveyance can be procured,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Barge or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Barge or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Leaks &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Barge or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which

the said Barge the owner or owners of the said Barge or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Barge or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Benjamin M. Holmes, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this fifteenth day of March in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus		Benjamin M. Holmes, Master
C. LaBedoyere Kernion Jr.	X	Edmond Holmes, Second mate
		F.A. Brookman, Clerk
		Henry A. Ealer, Pilot
James Barringer		James Russell, Pilot
J.M. Currier, Engineer		Daniel Killian, Carpenter

Lucien Hermann
Not. Pub.

[line cut off] … on this day personally appeared before me William S. Watson, a Justice of the peace and being duly Commissioned and Sworn for the County of Cape Girardeau and State of Missouri, Benjamin M. Holmes, Master; Henry A. Ealer, Pilot; John Mattingly, Mate; James Russell, Pilot; F.A. Brookman, Clerk; Daniel Killian, Carpenter; John Connor & William Holmes, Engineers; and James Barringer, Watchman, who being duly sworn do make the following statement upon oath—That on the morning of the Sixth day of March, A.D. 1847 about 6 ½ o'clock in the morning of said day while descending the Mississippi River about 16 miles above Lake Girardeau, the said Barge George Washington or so called towed by the Steam Boat Duke of Orleans whilst underway, was discovered to be making water very freely, when discovered about one or one and a half inches over the dunnage plank, the pumps had been sucked a few minutes previously, when apparently she was perfectly tight; about one minute after discovered to be making water, she sunk in about twelve or sixteen feet water. Said Barge was well manned and tacked and every effort was made to save said Barge and Cargo, but was unavailing and the accident must be considered one of the unavoidable dangers of the River.

Therefore, I William S. Watson, a Justice of the peace as aforesaid, do hereby Protest against all and singular the dangers of the River, unavoidable accidents, damages, losses and claims of any person or persons whatsoever by reason of the aforesaid accident.

Sworn to and subscribed	}	Benjamin M. Holmes Master	{seal}
Before me this 7th day of	}	Henry A. Ealer, Pilot	{seal}
March A.D. 1847	}	John Mattingly, mate	{seal}

William S. Watson	}	James Russell, Pilot	{seal}
Justice of the Peace	}	F.A. Brookman, clk.	{seal}
		Paul Killian, Carpenter	{seal}
		John Connor, Eng.	{seal}
		M. Holmes, Eng.	{seal}
		James Barringer, watchman	{seal}

State of Missouri }S.S.
County of Cape Girardeau }

I, William S. Watson, a justice of the peace and
Being duly commissioned and sworn for the County of Cape Girardeau and State of Missouri residing in the City of Cape Girardeau in this state do hereby certify that the foregoing Instrument of Protest was made and entered before me according to law this 7th day of March 1847.

In Testimony whereof I have hereto set my hand and seal at the City of Cape Girardeau the day and year aforesaid.

William S. Watson
Justice of the Peace

No. 135
No. 20 March 1847
Protest
Brig Francis Ann
Grimsditch master

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the twentieth day of March in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the seventy first

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Thos. J. Grimsditch, Master of the Brig called the Frances Ann and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Thos. J. Grimsditch and requires me to extend his Protest, and together with the said Thos. J. Grimsditch also come Hugh Mc Neale Mate, David Wright, James Ellison and William Winchester Seamen,

belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that On the 31st day of January 1847 he, the said Thos. J. Grimsditch departed in and with the said Brig Frances Ann as Master thereof from Leith, Scotland

having on board the said Vessel ~~cargo of~~ Coals for Ballast

and bound for the Port of New Orleans La.

that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

On the day and date aforesaid got underway and proceeded to sea. Continued on their course, nothing worthy of particular note occurring until Wednesday 17th March. At 4 A. M. the weather being hazy, sounded with one hundred fathoms line but found no bottom. At 6 A. M. sounded again and found soft mud

in forty fathoms. At 8 A.M. altered the course to West expecting to make Frank Island Light House, and kept the lead going continually. The weather yet hazy, at 10 O'clock 45 minutes made the land bearing West by North, apparently Frank Island, as they could distinguish a house. In less than five minutes after making the land the Brig struck the Bottom in two fathoms water. Immediately hove all aback in hopes the Brig would back off, but she was so fast fore and aft she would not move. Stowed all the sails, got the stream anchor out astern and hove a heavy strain on the warp with the windlass and Capstan. but without success as the anchor came home, the bottom consisting of hard sand and stones. The Master then ordered a quantity of Coal to be thrown overboard in order to lighten the vessel, and then made more efforts with the anchor but all to no purpose owing //

to the nature of the bottom. it being impossible to make the anchor hold. At noon, by an observation found they had been set twenty four miles to the northward of their course by an unknown current, and that the land near them was Breton Island, and the vessel on Grand Gosier Shoal. The wind increas= ing and the vessel thumping heavily on the bottom, and there being prospects of a gale the master, at 4 o'clock P. M. sent the mate to the Balize at the ~~Bra~~ mouth of the Mississippi to procure assistance, and if possible engage a steam boat to get them off. At 6 P. M., the vessel continuing to strike heavily, found three feet water in the well and gaining fast on the pumps. At 8 o'clock the wind still increasing and the sea breaking over the vessel with great violence, the Master expecting ~~she to go~~ to pieces as she was striking very heavily. At 10 h. 30 m. the cable parted and the vessel canted on her larboard beam-ends, the sea making a complete breach over her abaft. At ½

midnight found the false keel and other pieces of the wreck floating alongside. The next ~~morning~~ day, Thursday 18th at 30m A.M. a heavy sea struck the Brig on the larboard quarter and shifted her head 5 points to the southward. Set the sails and attempted to force her off but without success. At daylight found the vessel to have surged 2 or 3 miles to the westward. and the ~~Master~~ perceiving she had bilged with 7 feet water in the well, the stem post started and the lower deck bindings beginning to part, the vessel on her broadside, the decks and water way all started and the crew completely exhausted by their labours at the pumps &c. found it impossible to remain any longer by the wreck with safety to the lives of the crew, consequently hailed a fishing smack which came along side and took them off, together with as much of the materials as she could carry the vessel at the time having 9 feet 6 inches water in the hold. On arriving at New Orleans the master endeavored to contract with the proper persons for getting the vessel off, but without success. as the prospect of saving her was so small that none would undertake the risk.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** stranding &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Thomas J. Grimsditch his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this twenty third day of March in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Meales and C. LaBedoyère Kernion both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

C. Kernion — Thomas J. Grimsditch

Hugh W. Neale

C. Romanillos — David Wright

James Allison

Wm Winchester

A. Hermann
Not. Pub.

No. 186 385
N.O. 23rd March 1847
Protest
Brig Frances Ann
Grimsditch master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the twentieth day of March in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Thomas J. Grimsditch, Master of the Brig called the Frances Ann, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Thos. J. Grimsditch and requires me to extend his Protest, and together with the said Thos. J. Grimsditch also come Hugh McNeale, Mate; David Wright, James Allison and William Winchester, Seamen, belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 31st day of January 1847 he, the said Thos. J. Grimsditch departed in and with the said Brig Frances Ann as Master thereof from Leith, Scotland having on board the said Vessel Coals for Ballast, and bound for the Port of New Orleans, La., that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> On the day and date aforesaid got underway and proceeded to sea. Continued on their course, nothing worthy of particular note occurring until Wednesday 17th March. At 4 A.M. the weather being hazy, sounded with one hundred fathoms line but found no bottom. At 6 A.M. sounded again and found soft mud in forty fathoms. At 8 A.M. altered the course to West expecting to make Frank Island Light House [Frank's Island mouth of the Miss. R.], and kept the lead going continually. The weather yet hazy, at 10 o'clock 45 minutes made the land bearing West by North, apparently Frank Island, as they could distinguish a house. In less than five minutes after making the land, the Brig struck the bottom in two fathoms water. Immediately hove all aback in hopes the Brig would back off, but she was so fast fore and aft she would not move. Stowed all the sails, got the stream anchor out astern and hove a heavy strain on the warp with the windlass and capstan, but without success as the anchor came home, the bottom consisting of hard sand and stones. The Master then ordered a quantity of coal to be thrown overboard in order to lighten the vessel, and then made more efforts with the anchor but all to no purpose owing [386] to the nature of the bottom, it being impossible to make the anchor hold. At noon, by an observation found they had been set twenty-four miles to the northward of their course by an unknown current, and that the land near them was Breton Island, and the vessel on Grand Gosier Shoal. The wind increasing and the vessel thumping heavily on the bottom, and there being prospect of a gale, the master at 4 o'clock P.M. sent the mate to the Balize at the mouth of the Mississippi to procure assistance, and if possible engage a Steam boat to get them off. At 6 P.M., the vessel continuing to strike heavily, found three feet water in the well and gaining fast on the pumps. At 8 o'clock the wind still in creasing and the sea breaking over the vessel with great violence, the master expecting her to go to pieces as she was striking very heavily. At 10:30, the cable parted and the vessel canted on her larboard beam-ends, the sea making a complete breach over her shaft. At midnight found the false keel and other

pieces of the wreck floating alongside. The next day, Thursday 18th at 12:30 A.M. a heavy sea struck the Brig on the larboard quarter and shifted her head 5 points to the southward. Let the sails and attempted to force her off, but without success. At daylight found the vessel to have surged 2 or 3 miles to the westward and the Master perceiving she had bilged with 7 feet water in the well, the stern port started and the lower deck bindings beginning to part, the vessel on her broadside, the decks and waterway all started and the crew completely exhausted by their labors at the pumps &c, found it impossible to remain any longer by the wreck with safety to the lives of the crew, consequently hailed a fishing smack which came alongside and took them off together with as much of the materials as she could carry, the vessel at the time having 9 feet, 6 inches water in the hold. On arriving at New Orleans the Master endeavored to contract with the proper persons for getting the vessel off, but without success as the prospect of saving her was so small that none would undertake the risk,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Thomas J. Grimsditch, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this twenty-third day of March in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

C. LaBedoyere Kernion Jr.

Thomas J. Grimsditch

Hugh McNeale

David Wright

James Allison

Wm. Winchester

Lucien Hermann
Not. Pub.

No. 200
No. 27th April 1847
Protest
Brig Ellen & Clara
T. Griffin master

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the twenty seventh day of April in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the seventy first

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Tristram Griffen, late Master of the Brig called the Ellen and Clara, and declared that on the 2nd April, 1847, he noted in due form of law with W. D. Hyam, Notary Public in and for the City of Vera Cruz his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Tristram Griffen and requires me to extend his Protest, ~~and together with the said also come~~ The note of Protest made at Vera Cruz, having been signed and sworn to by Thomas Kendrick Mate, and Charles Burdick, seamen

belonging to the aforesaid vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Friday the 26th day of February 1847

he, the said Tristram Griffen departed in and with the said Brig as Master thereof from New Orleans, La.

having on board the said vessel a cargo of Merchandise

and bound for the Port of Tampico, Mexico,

that the said vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

On the day and date afresaid got under way and proceeded down the river Mis=sissippi in tow of a Steamer. The following day passed over the bar and stood out to sea. Con=tinued on their course, experiencing variable weather, and on the 3rd March made the land to the West=ward of Tampico river and next day took a pilot, proceeded in over the bar and up the river to //

Tampico, where they made fast and proceeded to discharge Cargo. Remained at Tampico taking in Provender, Horses and Mules for Vera Cruz until the 15th, when all things being in readiness they departed in tow of a Steamer which took them to the bar, but owing to the heavy sea thereon, were unable to cross until the 17th when the Steamboat took them over, left them, and the Brig stood out to sea, nothing worthy of particular note occurring until the 20th, when they arrived off Vera Cruz and came to anchor among the fleet under Sacrificios Island. After hauling in close to the shore they discharged the Mules and Horses and then warped the Brig off to a place where she could lay more securely. On the 21st, the wind commenced blowing violently from the North, let go a second anchor, but the gale increasing, the Brig dragged her anchors and struck against the bottom. At this time the Hurricane was tremendous, the Vessel continued to drift

and brought up on the reef, the sea making a complete breach over her. At 2, A. M. parted the sheet chain and the Brig drove over the reef and on to the beach where she struck heavily. The gale continued throughout the night, Next day at 4 P. M. a boat was sent from the U.S. Ship St Mary, to their assistance with a cable and anchor, which were conveyed to the Brig and they commenced heaving on it but were unable to move her. Continued their exertions at 5 P. M. started her a little. On the 23rd the weather having moderated, made all head sail and again began heaving on the cable and moved the Brig about twenty yards. Continued heaving by spells throughout the day. 24th and 25th experienced strong winds and a heavy sea. 26th pleasant. All hands employed in trying to get the vessel off. 27th started the water to lighten her, and kept the crew at work heaving at the windlass as before. At 8 P. M. the wind commenced blowing from the North, at 10 increased to a gale. At mid-night, the wind blew a perfect Hurricane, and the vessel

parted her cable and drove further up on to the beach several other vessels being driven ashore at the same time. 28th The sea continued running very high and broke completely over the vessel, driving her still further up the beach. Towards the latter part of the day the weather moderated and as the tide fell the Brig remained nearly high and dry). The master considering the situation of the Vessel as hopeless, called in Surveyors who found her badly hogged and strained, and so much injured as to be entirely worthless for sea service, provided she could be got off, which was extremely doubtful, recommended that she be sold as she lay for the benefit of all parties concerned, which was accordingly done

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** Stranding &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Gustaum Giffen his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this twenty seventh day of April in the year of our Lord one thousand eight hundred and forty-seven in the presence of C. Florian Mahus and C. LaBedeyen Kermion both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Gustaum Griffin

C. Florian Mahus

C. Kermion

Notarial Archives
Research Center
1340 Poydras St. Suite 360
New Orleans, LA 70112

No. 250 78
N.O. 27th April 1847
Protest
Brig Ellen & Clara
T. Griffin master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the twenty-seventh day of April in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Tristram Griffin, late master of the Brig called the Ellen and Clara, and declared that on the 2nd April, 1847, he noted in due form of law with B.D. Hyam, Notary Public in and for the city of Vera Cruz, his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Tristram Griffin and requires me to extend his Protest. The note of Protest made at Vera Cruz, having been signed and sworn to by Thomas Kendrick, mate, and Charles Burdick, seaman belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Friday the 26th day of February 1847 he, the said Tristram Griffin departed in and with the said Brig as Master thereof from New Orleans, La. having on board the said vessel a cargo of Merchandise, and bound for the Port of Tampico, Mexico, that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> On the day and date aforesaid got underway and proceeded down the river Mississippi in tow of a Steamer. The following day passed over the bar and stood out to sea. Continued on their course, experiencing variable weather, and on the 3rd March made the land to the westward of Tampico river and next day took a pilot, proceeded in over the bar and up the river to Tampico, where they made fast and proceeded to discharge Cargo. Remained at Tampico taking in provender, Horses, and mules for Vera Cruz until the 15th, when all things being in readiness they departed in tow of a steamer which took them to the bar, but owing to the heavy sea thereon, were unable to cross until the 17th when the Steam boat took them over, left them, and the Brig stood out to sea, nothing worthy of particular note occurring until the 20th when they arrived off Vera Cruz and came to anchor among the fleet under Sacrificios Island. After hauling in close to the shore they discharged the Mules and Horses and then warped the Brig off to a place where she could lay more securely. On the 21st the wind commenced blowing violently from the North, let go a second anchor, but the gale increasing, the Brig dragged her anchors and struck against the bottom. At this time the Hurricane was tremendous, the Vessel continued to drift [79] and brought up on the reef, the sea making a complete breach over her. At 2 A.M. parted the sheet chain and the Brig drove over the reef and onto the beach where she struck heavily. The gale continued throughout the night. Next day at 4 P.M. a boat was sent from the U.S. ship St. Mary to their assistance with a cable and anchor, which were conveyed to the Brig and they commenced heaving on it but were unable to move her. Continued their exertions and at 5 P.M. started her a little. On the 23rd the weather having moderated, made all head sail and again began heaving on the cable and moved the Brig about twenty yards. Continued heaving by spells throughout the day. 24th and 25th experienced strong winds and a heavy sea. 26th pleasant. All hands employed in trying to get the vessel off. 27th started [pumping?] the water to

lighten her, and kept the crew at work heaving at the windlass as before. At 8 P.M. the wind commenced blowing from the north, at 10 increased to a gale. At midnight the wind blew a perfect Hurricane, and the vessel parted her cable and drove further up onto the beach, several other vessels being driven ashore at the same time. 28th the sea continued running very high and broke completely over the vessel, driving her still further up the beach. Towards the latter part of the day the weather moderated and as the tide fell the Brig remained nearly high and dry. The master considering the situation of the Vessel as hopeless, called in Surveyors who found her badly hogged and strained, and so much injured as to be entirely worthless for sea service, provided she could be got off, which was extremely doubtful, recommended that she be sold as she lay for the benefit of all parties concerned, which was accordingly done,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Tristram Griffin, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this twenty-seventh day of April in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus Tristram Griffin

C. LaBedoyere Kernion Jr.

Lucien Hermann
Not. Pub.

No. 273
N.O. 6th May 1847
Protest
Schooner Oscar Jones
S. Mayo master

120

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Fourth day of May in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the seventy first

C. M.

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Shubael Mayo, late Master of the Schooner called the Oscar Jones and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Shubael Mayo and requires me to extend his Protest, and together with the said Shubael Mayo also come Eleazer Johnson, Mate, Samuel Richards and Joseph Medcalfe, seamen belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on the Seventh day of March 1847 he, the said Shubael Mayo departed in and with the said Schooner as Master thereof from Brazos Santiago

having on board the said Schooner a cargo of Wagons and Mules belonging to the U.S. Government and bound for ~~the Port of~~ Lobos Island, in the Gulf of Mexico that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

On the day and date aforesaid got under way and proceeded to sea. During the passage they experienced very rough weather, but arrived at Lobos Island without damage and came to anchor on the 14th at 7 P.M. Next morning a boat came off to the Schooner bringing orders from the Quarter Master for the vessel to proceed to Sacrificios Island and there wait further instructions. Accordingly at 7 A.M. got under way and steered for the latter place. On the 16th encountered a heavy

gale from N.W. attended with a high sea. At 6 P.M. hove-to under close reefed sails. At 10 a heavy sea came over the stern carrying away the boat which was lost. At 8, A.M. the weather moderated some and they made sail. Continued on their course experiencing variable weather, occasionally heavy gales and contrary winds, and on the 22nd at Meridian made the land, and at 5 P.M. came to anchor in the road-stead of Sacrificios Island. 23rd commenced pleasant – At Meridian it began blowing a gale from the North – let go the larboard anchor. 24th the gale continued until the latter part when it moderated. 25th pleasant. At 8. A.M. got under way and proceeded up the harbor to discharge the Mules. 26th commenced with moderate breezes from the North. At 2 P.M. the wind began blowing violently, ~~that we~~ the larboard anchor. At 4 A.M. the gale increasing, paid out all the chains. At Meridian the gale was tremendous, with a heavy sea and the Schooner pitching and riding heavily, parted the larboard chain and began drifting towards the reef. 1/.

Let go the kedge anchor. Continued dragging her anchors and at 1 P. M. parted the hawser attached to the kedge and the Schooner immediately drove on to the reef knocking off her rudder. At this time the sea was very high and making a complete breach over the vessel causing her to thump heavily against the bottom, and the Master to prevent the vessel from bilging was compelled to slip the Starboard chain, when the Schooner drove along the reef into a big, doing great damage to the Schoone, staving her boat and larboard rail &c. She then parted from the Big and driving still further along the beach, ran foul of another big which had been driven on shore, carrying away the Schooners cut water, head, bobstay, head rail, jib-boom and guys, some of the running rigging and a hawser, and causing other serious injuries to the Schooner. The vessel now being fast on the beach they got the mules ashore. At 8 P. M. the gale began to abate, but the sea continued running very high and breaking with great force against the Schooner caused her to thump heavily against the bottom. 27th weather moderate, found but 4 feet water alongside. 28th discharged the Cargo 29th endeavored to procure assistance from the men of war to get the Schooners anchors, but the men were all employed in landing troops &c. 30th Crew employed throughout the day in sweeping for the anchors but without success, the buoys being gone. 31st Crew employed as the day previous - Vessel making considerable water. April 1st Vessel leaking badly, Capt. Mayo called in Surveyors who recommended that she be sold as she lay for the benefit of all parties concerned. //

On the 3rd. Capt. Mayo, in consequence of ill health was compelled to leave the Schooner in charge of Capt. Joshua Cahoon, and take passage to New Orleans. Before leaving, Capt. Mayo instructed Capt. Cahoon to procure assistance if possible and make some attempt to lighten the vessel off, failing to do this he was to sell her as recommended by the surveyors. After Capt. Mayo's departure Capt. Cahoon proceeded in getting men, cables and anchors from the vessels near by and on the 8th got the Schooner afloat. At 11 A. M. a breeze set in from the eastward attended with a heavy rolling swell, causing the vessel to thump violently against the bottom and drag her anchor. Procured another anchor, and commenced heaving on it, but the cable parted and the vessel again drove on to the reef striking heavily and injuring her bottom so much that the leak increased very rapidly. The acting Master now considering the situation of the vessel hopeless, determined to sell her, which was accordingly done agreeable to the instructions received from Capt. Mayo.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, publicly and solemnly protest against Winds, Weather, Stranding &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Shubael Mayo his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Sixth day of May in the year of our Lord one thousand eight hundred and forty-Seven in the presence of E. Florian Malus and C. La Bedoyere Kennion both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Thos Jaques Kennion — Shubael Mayo

Joshua Cahoon

E. Florian Malus — Eleazer Johnson

Samuel Richards

Wm Simmons — Joseph his X mark Medcalf

Not. Pub.

No. 273 120
N.O. 6th May 1847
Protest
Schooner Oscar Jones
S. Mayo master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the fourth day of May in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Shubael Mayo, late master of the Schooner called the Oscar Jones, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Shubael Mayo and requires me to extend his Protest, and together with the said Shubael Mayo also come Eleazer Johnson, Mate; Samuel Richards and Joseph Medcalf, Seamen, belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the seventh day of March 1847 he, the said Shubael Mayo departed in and with the said Schooner as Master thereof from Vrasos Santiago [Brasos Santiago, Tx.] having on board the said Schooner a cargo of Wagons and mules belonging to the U.S. Government, and bound for the Port of Lobos Island, in the Gulf of Mexico, that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> On the day and date aforesaid got underway and proceeded to sea. During the passage they experienced very rough weather, but arrived at Los Island without damage and came to anchor on the 14th at 7 P.M. Next morning a boat came of [up?] to the Schooner bringing orders from the Quarter Master for the vessel to proceed to Sacrificios Island and there await further instructions. Accordingly at 7 A.M. got underway and steered for the latter place. On the 16th encountered a heavy gale from N.W. attended with a high sea. At 6 P.M. hove to under close reefed sails. At 10 a heavy sea came over the stern carrying away the boat which was lost. At 8 A.M. the weather moderated some and they made sail. Continued on the course experiencing variable weather, occasionally heavy gales and contrary winds, and on the 22nd at Meridian made the land, and at 5 P.M. came to anchor in the roadstead of Sacrificios Island. 23rd commenced pleasant – at Meridian it began blowing a gale from the North – let go the larboard anchor. 24th the gale continued until the latter part when it moderated. 25th pleasant. At 8 A.M. got underway and proceeded up the harbor to discharge the mules. 26th commenced with moderate breezes from the North. At 2 P.M. the wind began blowing violently – let go the larboard anchor. At 4 A.M. the gale increasing, paid out all the chains. At Meridian the gale was tremendous with a heavy sea and the Schooner pitching and riding heavily; parted the larboard chain and began drifting toward the reef. [121] Let go the kedge anchor. Continued dragging her anchors and at 1 P.M. parted the hawser attached to the Kedge and the Schooner immediately drove onto the reef, knocking off her rudder. At this time the sea was very high and making a complete breach over the vessel causing her to thump heavily against the bottom, and the Master to prevent the vessel from bilging was compelled to slip the starboard chain, when the Schooner drove along the reef into a brig, doing great damage to the Schooner, staving her boat and larboard rail, &c. She then parted from the Brig and driving still further along the beach, ran foul of another

brig which had been driven on shore carrying away the Schooner's cut water, head, bobstay, head rail, jib-boom and guys, some of the running rigging and a hawser, and causing other severe injuries to the Schooner. The vessel now being fast on the beach they got the mules ashore. At 8 P.M. the gale began to abate, but the sea continued running very high and breaking with great force against the Schooner, caused her to thump heavily against the bottom. 27th weather moderate, found but 4 feet water alongside. 28th discharged the Cargo. 29th endeavored to procure assistance from the men of war to get the Schooner anchors, but the men were all employed in landing troops &c. 30th crew employed throughout the day in sweeping for the anchors, but without success, the buoys being gone. 31st Crew employed as the day previous – Vessel making considerable water. April 1st vessel leaking badly, Capt. Mayo called in Surveyors who recommended that she be sold as she lay for the benefit of all parties concerned. On the 3rd, Capt. Mayo, in consequence of ill health, was compelled to leave the Schooner in charge of Capt. Joshua Cahoon to procure assistance if possible and make some attempt to heave the vessel off, failing to do this he was to sell her as recommended by the Surveyors. After Capt. Mayo's departure, Capt. Cahoon succeeded in getting men, cables and anchors from the vessels nearby and on the 8th got the Schooner afloat. At 11 A.M. a breeze set in from the eastward attended with a heavy rolling swell, causing the vessel to thump violently against the bottom and drag her anchor. Procured another anchor, and commenced heaving on it, but the cable parted and the vessel again drove on to the reef, striking heavily and injuring her bottom so much that the leak increased very rapidly. The acting Master now considering the situation of the vessel hopeless, determined to sell her, which was accordingly done agreeable to the instructions received from Capt. Mayo,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Strandings &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Shubael Mayo, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this sixth day of May in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus | Shubael Mayo

C. LaBedoyere Kernion Jr. | Joshua Cahoon

Eleazer Johnson

Samuel Richards

X Joseph Medcalf

Lucien Hermann
Not. Pub.

No 280
N. O. 10th May 1847
Protest
Bark Alhambra
James Lockhart master

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UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

2 C. M.

BE IT KNOWN, That on the tenth day of May in the year of our Lord one thousand eight hundred and forty-seven and of the Independence of the United States of America, the seventy first

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, James Lockhart Master of the late Barque called the Alhambra

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said James Lockhart and requires me to extend his Protest, and together with the said James Lockhart also come John Wilson Crompton, 1st mate, James Codman 2nd mate, and Henry Welker, Carpenter —

belonging to the aforesaid Barque all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Tuesday, the 30th day of March 1847

he, the said James Lockhart departed in and with the said Barque as Master thereof from Liverpool, Eng.

having on board the said Vessel ~~a cargo of~~ Ballast

and bound for the Port of Valparaiso

that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

On the day and date aforesaid at 11. A. M. the pilot came on board and all things being in readiness they got under way in tow of a steamer and proceeded to sea. At 3. P. M. the pilot and steam tug left them, and the Barque continued on her course, the S. W. Light Boat bearing S. E. 6 or 7 miles distant. Wind light

and variable. 31st at 4 A.M. Point Lynas Light bore S.S.E. distant 6 miles. At 8. Skerries Light W. by N. 8 miles, breeze increasing from N.E. At 3 P.M. Holy Head S.E. distant 4 leagues. At 10 fresh breeges with hail showers, shortened sail accordingly. April 1st at Meridian the high lands of Dungaroon bore N.N.E. distant 11 leagues. On the 2nd fresh breeges with heavy showers of hail. At midnight experienced strong winds from the N.E. attended with heavy squalls. Sounded the pumps and found her making some water. Weather continued boisterous throughout the ~~night~~ day with heavy hail showers. 3rd commences with ~~heavy hail showers~~ fresh breeges and cloudy weather. At 10. P.M. wind increased and blew heavily, reduced sail accordingly. At 6. A.M. weather more moderate and clear, set all sail. 4th experienced strong breeges and thick weather throughout the day

with frequent showers of hail, vessel making about three inches water in two hours; pumps regularly attended to. 5th Fresh breezes, vessel making less water. Latter part moderate and clear. — 6th strong increasing breezes attended with a heavy swell causing the vessel to labor heavily. At Midnight the wind increased with rain. At 8 A.M. steady breezes, pumped ship at 6 inches. About 11 A.M. observed an unusual quantity of water in the fore hold; sounded the well and found four feet. The Master thereupon determined to bear up for the nearest port for examination. Accordingly called all hands and hauled the Barque on a wind for Madeira Island — both pumps constantly employed and the water gaining on them rapidly. 7th pleasant weather, all hands constantly at the pumps, leak still increasing and the vessel beginning to roll heavily,

At two P. M. saw a Ship steering to the Westward; made a signal of distress, when the said immediately hauled towards them. At 4 P. M. the vessel came up, which proved to be the Ship Queen Mab bound to New Orleans, and Capt Lockhart requested them to remain by him through the night. At 8. P. M. the Barque settling fast forward became quite unmanageable. Pumps constantly at work. At 10. P. M., finding there was no prospect of saving the vessel, as she would not steer, and the water being up to the midship beams, the Capt. ordered the boats to be hoisted out, and hailed the Ship to take the crew on board. At midnight the Barque took a long heel to port and continued lying down until 3. A.M., when deeming it unsafe to remain longer on board, they left the vessel and all hands went on board the "Queen Mab." – At 4.40. A.M. observed the Alhambra settling by the head, heel over to port and go down about two miles distant

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Leaks~~ and Foundering**

/ / /

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel — or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel — the owner or owners of the said Vessel — or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel — or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said James Lockhart his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this tenth — day of May — in the year of our Lord one thousand eight hundred and forty-seven in the presence of C. Florian Malus & C. LaBedoyere Kernion, — both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

C. Florian Malus

James Lockhart

Wm Pelon Crompton

C. Emmanuel Kernion

James Carson

his
Henry X Walker
mark

Wm Kernion
Not. Pub.

the Queen Mab" then made said contract in New Orleans as the same concerns this morning.

No. 280 136
N.O. 10th May 1847
Protest
Bark Alhambra
James Lockhart, master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the tenth day of May in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States of America, the Seventy-first, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared James Lockhart, Master of the late Barque called the Alhambra, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said James Lockhart and requires me to extend his Protest, and together with the said James Lockhart also come John Wilson Crompton, 1st mate; James Codman, 2nd mate; and Henry Welker, carpenter—, belonging to the aforesaid Barque all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday the 30th day of March 1847 he, the said James Lockhart departed in and with the said Barque as Master thereof from Liverpool, Eng. having on board the said Vessel – Ballast, and bound for the Port of Valparaiso [Chile], that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> On the day and date aforesaid at 11 A.M. the pilot came on board and all things being in readiness they got under way in tow of a steamer and proceeded to sea. At 3 P.M. the pilot and steam tag left them, and the Barque continued on her course; the N.W. Light Boat bearing S.E. 6 or 7 miles distant. Wind light and variable. 31st at 4 A.M. Point Lynas Light bore S.S.E. distant 6 miles. At 8, Skerries Light [Scotland] W. by N. 8 miles, breeze increasing from N.E. At 3 P.M. Holy Head S.E. distant 4 leagues. At 10 fresh breezes with hail showers, shortened sail accordingly. April 1st at Meridian the high lands of Dungaroon bore N.N.E. distant 11 leagues [all locations on British coast between Wales to Ireland]. On the 2nd fresh breezes with heavy showers of hail. At midnight experienced strong winds from the N.E. attended with heavy squalls. Sounded the pumps and found her making some water. Weather continued boisterous throughout the day with heavy hail showers. 3rd commences with fresh breezes and cloudy weather. At 10 P.M. wind increased and blew heavily, reduced sail accordingly. At 6 A.M. weather more moderate and clear, set all sail. 4th experienced strong breezes and thick weather throughout the day [137] with frequent showers of hail, vessel making about three inches water in two hours; pumps regularly attended to. 5th fresh breezes, vessel making less water. Latter part moderate and clear.__ 6th strong increasing breezes attended with a heavy swell causing the vessel to labor heavily. At midnight the wind increased with rain. At 8 A.M. steady breezes, pumped ship at 6 inches. About 11 A.M. observed an unusual quantity of water in the fore hold; sounded the well and found four feet. The Master thereupon determined to bear up for the nearest port for examination. Accordingly called all hands and hauled the Barque on a wind for Madeira Island [Portugal] – both pumps constantly employed and the water gaining on them rapidly. 7th pleasant weather, all hands constantly at the pumps, leak still increasing and the vessel beginning to roll heavily. At two P.M. saw a ship steering to the westward, made a signal of distress, when the sail immediately hauled towards them. At 4 P.M. the vessel came

up, which proved to be the Ship Queen Mab bound to New Orleans, and Capt. Lockhart requested them to remain by him through the night. At 8 P.M. the Barque settling fast forward, became quite unmanageable. Pumps constantly at work. At 10 P.M., finding there was no prospect of saving the vessel, as she would not steer, and the water being up to the midship beams, the Capt. Ordered the boats to be hoisted out and hailed the Ship to take the crew on board. At midnight the Barque took a long heel to port and continued lying down until 3 A.M. when deeming it unsafe to remain longer on board, they left the vessel and all hands went on board the "Queen Mab."__ At 3:30 A.M. observed the Alhambra settling by the head, heel over to port and go down about two miles distant. The "Queen Mab" then made sail and continued on to New Orleans where she arrived this morning,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Leaks and Foundering and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said James Lockhart, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this tenth day of May in the year of our Lord one thousand eight hundred and forty-seven in the presence of E. Florian Malus and C. LaBedoyere Kernion Jr., both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

C. LaBedoyere Kernion Jr.

James Lockhart

John Nelson Crompton

James Codman

X Henry Welker

Lucien Hermann
Not. Pub.

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UNITED STATES OF AMERICA.

No. 135
N.C. 15th March 1848.
Protest
of the Brig G. W. Gifford
Isaac W. Comery, master.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest.

BE IT KNOWN, That on the Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-eight, — and of the Independence of the United States of America, the Seventy Second; — Before Me, Lucien Hermann, — a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, STATE OF LOUISIANA, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Isaac W. Comery, Master of the Brig called the "G. W. Gifford" And noted in due form of law with me the undersigned Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Isaac W. Comery and requires me to extend his Protest, and together with the said Isaac W. Comery also come Rufus J. Torrance, first mate, Arthur C. Johnson, second Mate, George G. Scott and Florance Driscoll, Seamen, belonging to the aforesaid Brig, all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Tuesday the Twenty ninth day of February last past, 1848, (civil time) he, the said Isaac W. Comery departed in and with the said Brig G. W. Gifford as Master thereof from Cienfugos, Cuba.

having on board the said Brig — a cargo of Merchandise

and bound for the Port of New York;

that the said Brig was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

got ready for departure on the day and date aforesaid, and at 2 P.M. proceeded to sea with a Pilot on board — Wind westerly and fine weather. — Wednesday March 1st (nautical time) had pleasant weather and moderate breezes from the Westward, all sail set. — On the Second, Third

and Fourth of March had pleasant weather and fine breeze, nothing occuring worthy of particular notice here until the Fifth, this day commences with light winds from the Northward, at 5 P.M. were in sight of Cape Antonio; at 5 30 Tacked Ship and stood to the North & westward; — at 8 P.M. the Brig struck violently on the Colorado reef, — tried the pumps and found she had sprung a leak; every exertion was immediately made to get her off but without avail, and at daylight she was found to have five feet water in her hold, and in a sinking Condition; at 10 A.M. Sounded her pumps and found Seven feet water in her hold. — The Sixth Commences with fresh breeze and cloudy weather; at 1 P.M. discovered the Vessel to be settling abaft, tried the lead and found she had three fathoms water under her Stern, Six feet amidship and two feet at the Bows;

at 2 P.M. the Vessel filled and was all under water to the fore hatch, and they were forced to abandon her, — Accordingly left her in their Boat and were afterwards taken on board the Schooner Harvest, Capt. Rice, of Boston, bound to New Orleans where they arrived this day. — The Boat in which they left the Vessel was given to Capt Rice as some small remuneration for his trouble.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Brig or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Brig or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his **PROTEST** and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth **PROTEST**, and I the said Notary, at his special interest and request, do by these presents, **Publicly and solemnly Protest against Winds, Weather,** Stranding &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Brig or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or inrusers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured. or hereafter to be incured, do fall on him the said Isaac W. Comery his officers or crew.

THUS DONE AND PROTESTED, at my office in the City of **NEW ORLEANS,** this Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-eight in the presence of William Hummer and C. Florian Malus, both of this City, competent witnesses, who hesennto sign their names, together with the said Appearers, and me, said Notary.

C. Florian Malus

Wm Hummer

W. Hummer
Wit. pro.

Isaac W Comery
Rufus T Torrance Mate
Arthur C Johnstone mate
Geo J Solt Seaman
Florence his X mark Driscoll "

No. 138 240

N.O. 15th March 1848.
Protest
Of the Brig G.W. Gifford
Isaac W. Comery, master.

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-eight, and of the Independence of the United States of America, the Seventy-second, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Isaac W. Comery, Master of the Brig called the "G.W. Gifford", and noted in due form of law with me the undersigned Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Isaac W. Comery and requires me to extend his Protest, and together with the said Isaac W. Comery also come Rufus J. Torrance, first mate; Arthur C. Johnson, second Mate; George G. Scott and Florance Driscoll, seamen, belonging to the aforesaid Brig all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday the Twenty-ninth day of February last past, 1848 (civil time) he, the said Isaac W. Comery departed in and with the said Brig G.W. Gifford as Master thereof from Cienfuegos, Cuba having on board the said Brig a cargo of Merchandise, and bound for the Port of New York; that the said Brig was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Got ready for departure on the day and date aforesaid, and at 2 P.M. proceeded to sea with a Pilot on board__wind westerly and fine weather.__Wednesday March 1st (nautical time) had pleasant weather and moderate breezes from the Westward, all said set.__ On the Second, Third and Fourth of March had pleasant weather and fine breezes, nothing occurring worthy of particular notice here until the Fifth, this day commences with light winds from the Northward, at 5 P.M. were in sight of Cape [San] Antonio; at 5:30 tacked ship and stood to the North & westward; at 8 P.M. the Brig struck violently on the Colorado reef [near western end of Cuba above Cape San Antonio], tried the pumps and found she had spring a leak; every exertion was immediately made to get her off but without avail, and at daylight she was found to have five feet water in her hold, and in a sinking condition; at 10 A.M. sounded her pumps and found seven feet water in her hold.__The Sixth commences with fresh breezes and cloudy weather; at 1 P.M discovered the Vessel to be settling abaft, tried the lead and found she had three fathoms water under her stern, six feet amidship and two feet at the Bow; [241] at 2 P.M. the Vessel filled and was all under water to the fore hatch, and they were forced to abandon her,__Accordingly left her in their boat and were afterwards taken on board the Schooner Harvest, Capt. Rice, of Boston, bound to New Orleans where they arrived this day. __The Boat in which they left the vessel was given to Capt. Rice as some small remuneration for his trouble;

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Brig or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Brig or default of him, this deponent, his officers or

crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Brig or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Isaac W. Comery his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Fifteenth day of March in the year of our Lord one thousand eight hundred and forty-eight in the presence of William Plummer and E. Florian Malus, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

Wm. Plummer

Isaac W. Comery

Rufus J. Torrence, 1st Mate

Arthur C. Johnston, Seaman

George G. Scott, Seaman

X Florence Driscoll

Lucien Hermann
Notary Public

No. 99.
N.O. 23rd February 1848.
Protest
of the Ship Liverpool
Chas A. McLellan, master.

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UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twenty first day of February in the year of our Lord one thousand eight hundred and forty-eight and of the Independence of the United States of America, the Seventy Second

Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, State of Louisiana, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, Charles A McLellan Master of the Ship called the Liverpool,

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Charles A McLellan and requires me to extend his Protest, and together with the said Charles A McLellan also come Timothy Bachelder, William Smart and Albion Dennison.

belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on the Saturday 11 day of December 1847. (civil time)

he, the said Charles A McLellan departed in and with the said Vessel as Master thereof from Corunna, Spain

having on board the said Vessel ~~[illegible]~~ Ballast.

and bound for the Port of New Orleans, La.

that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got ready for departure on the day and date as above written, and at 6 A.M. the Pilot came on board when they hove up anchor, made Sail and proceeded out to Sea — At 9 A.M. discharged the Pilot — At 11 O'clock A.M. the wind hauled to the Westward the Island of Casargas bearing by Compass West distant 10 miles — Continued on their due Course from day to day with nothing very material occurring worthy here of particular note until Tuesday the Eleventh day of January 1848 which commence, with strong

breezes from the North and passing clouds — At 1 P.M. tacked Ship to the E.N.E. Point Savinal bearing S.S.E. distance 12 miles — At 4 P.M. tacked Ship to the W.N.W. and the wind hauled to the N.N.E. Vessel heading to the N.W. — At 6 O'clock, the wind hauled to the N.E. and the Ship come up to the N.W. by N. the Island of Guajaba bearing S.W. distant abt. 15 miles — At 9 P.M. the wind hauled to the North, weather thick and hazy attended with rain, and a strong gale blowing — took in the main royal & mizzen topgallant sail, and tacked Ship to the E. by N. — furled topgallant sail and double reefed the Topsail — At Midnight the wind hauled to the N.E. by E. blowing very heavy with rain, tacked to the N.N.W. furled mainsail and Lib — At 3.30 A.M. the wind hauled more to the North blowing heavily attended with heavy squalls and thick hazy weather — while proceeding on they ~~suddenly~~ discovered breakers under then larboard bow and while in the act of wearing Ship to the Eastward the Vessel suddenly struck on a Reef and remained fast — Immediately made every exertion to relieve the Vessel from her situation, ~~got~~ Cleared up the sails and while in the act of getting the boat out to

Carry out her Anchors, the Vessel came round broad side to the Reef, unshipped her Rudder and soon after bilged — At Daylight discovered they were closed to Key Verde, or Green Key so called, being on the Coast of Cuba in the old Bahama Channel — Upon Examination finding the Vessel badly stranded and bilged with no possibility of her ever being gotten off, they commenced stripping her and having saved all that could be obtained, She was abandoned and the Master and Crew together with the Materials saved have since arrived at this Port where the Materials are to be sold at Public Auction for the benefit of all parties concerned,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** Stranding &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured, or hereafter to be incured, do fall him the said Charles A. McLellan his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Twenty third day of February in the year of our Lord one thousand eight hundred and forty-eight in the presence of E. Florian Malus and Wm Plummer both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Chas. A. McLellan

Timothy Batchelor

William his X mark Smart

Albion Dennison

E. Florian Malus

Wm Plummer

Wm Plummer
Not. Pub.

No. 99 174
N.O. 23rd February 1848.
Protest
of the Ship Liverpool
Chas. A. McLellan, master.

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-first day of February in the year of our Lord one thousand eight hundred and forty-eight, and of the Independence of the United States of American, the Seventy-second, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Charles A. McLellan, Master of the Am. Ship called the Liverpool, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Charles A. McLellan and requires me to extend his Protest, and together with the said Charles A. McLellan also come Timothy Batcheleur, William Smart, and Albion Dennison, belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Saturday the 11th day of December 1847 (civil time) he, the said Charles A. McLellan departed in and with the said Vessel as Master thereof from Corunna, Spain having on board the said Vessel ~ Ballast, and bound for the Port of New Orleans, La. that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

Got ready for departure on the day and as above written, and at 6 A.M. the Pilot came on board when they hove up anchor, made sail and proceeded out to sea ~ At 9 A.M. discharged the Pilot at 11 O'clock A.M., the wind hauled to the westward, the Island of Cisargas bearing by compass West distant 10 miles ~ Continued on their due course from day to day with nothing very material occurring worthy here of particular note until Tuesday the eleventh day of January 1848 which commences with strong breezes from the North and passing clouds ~ At 1 P.M. tacked ship to the E.N.E. Point Lavinal bearing S.S.E. distance 12 miles~ At 4 P.M. tacked ship to the W.N.W. and the wind hauled to the N.N.E., vessel heading to the N.W. – At 6 O'clock, the wind hauled to the N.E. and the ship come up to the N.W. by N. the Island of Guajaba [Cuba] bearing S.W., distant to the North, weather thick and hazy attended with rain, and a strong gale blowing ~ took in the main royal & mizzen topgallant sail, and tucked ship to the E. Y N., – furled topgallant sail and double reefed the Topsail ~ At Midnight the wind hauled to the N.E. by E. blowing very heavy with rain, tacked to the N.N.W., furled Mainsail and Jib –At 3:30 A.M. the wind hauled more to the north blowing heavily, attended with heavy squalls and thick, hazy weather – while proceeding on they discovered breakers under their Larboard bow and while in the act of weaving ship to the Eastward, the Vessel suddenly struck on a Reef and remained fast~ Immediately made every exertion to relieve the Vessel from her situation, clewed the sails and while in the act of getting the boat out to [175] carry out her anchors, the Vessel came round broad side to the Reef, unshipped her Rudder and soon after bilged~~At daylight discovered they were closer to Key Verde, or Green Key so called, being on the coast of Cuba in the old Bahama Channel~~Upon examination, finding the Vessel badly stranded and bilged with no possibility of her ever being gotten off, they commenced shipping her and having saved all that could be obtained, she was abandoned and the Master and crew together with the

materials saved have since arrived at this port where the materials are to be sold at Public Auction for the benefit of all parties concerned,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Charles A. McLellan, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-third day of February in the year of our Lord one thousand eight hundred and forty-eight in the presence of William Plummer and E. Florian Malus, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

E. Florian Malus

Wm. Plummer

Charles A. McLellan

Timothy Batcheleur

X William Smart

Albion Dennison

Lucien Hermann
Not. Pub.

No. 419.
New Orleans, 15th November 1849.
Registry of the Protest
of Bark Elijah Swift
at the request of
Gordon Plummer.

United States of America,
State of Louisiana,
Parish of Orleans and City of New-Orleans.

Be it known that on this Fifteenth day of November, in the year of our Lord ~~One~~ One thousand Eight hundred and forty nine and in the Seventy fourth of the Independence of the United States of America,

Before me, Lucien Hermann, a notary public, duly sworn and commissioned in and for this Parish of Orleans, State of Louisiana, and in the presence of the witnesses hereinafter named and undersigned,

Personally came and appeared, Gordon Plummer Esquire, a resident of this city of New Orleans; Who presented to me, the undersigned notary, a certain Document or Instrument of writing purporting to be a certified copy of the Protest of the Bark called the Elijah Swift made and extended by David A. Nye, master thereof and part of his crew, before Joshua S. Secor a notary public in and for Mobile County State of Alabama, on the Eighth day of November instant; and further requested me, said notary, to enregister and transcribe the same in extenso into my current Notarial Register, there to remain and serve for reference in case of need hereafter; which said Document is in the words and figures following, To wit:

" United States of America,
" State of Alabama,
" Mobile County.
" By this Public Instrument of Protest,
" Be it known and made manifest to all whom these presents shall or may
" concern, that on the Eighth day of November in the year of our Lord One thousand
" eight hundred and forty nine, Before me Joshua S. Secor, notary public, in and
" for said County, duly commissioned and sworn, dwelling in the city of Mobile,
" Personally came and appeared, David A. Nye master of the Bark called the
" Elijah Swift belonging to the Port of Falmouth Mass of the burthen of three
" hundred and ninety five tons, or thereabout, who now wishes to extend a Protest,
" and for that purpose has brought with him Henry W. Ray, mate, of said Bark
" who being by me duly sworn according to law, do severally declare and say of
" their own free will and accord, that they the said Master and mate sailed

"from the Port of New York for the Port of New Orleans on board of said Bark
"she being laden with an assorted Cargo of Merchandise on Saturday the 20th
"day of October last – viz. Said Bark being at Anchor in the North River,
"at 5 A.M. the Pilot came on board – weighed anchor and proceeded towards
"Sea. At 4 P.M. Anchored off the S.W. Bony, New York Bay, the wind
"being from S.S.E. – Sunday the 21st at 1 P.M. weighed anchor and proceed-
"ed to Sea in company with Ship Nicholas Biddle – wind S.S.E. – At 8
"o'clock P.M. the lights on the Highlands bore N.W. by compass distant
"about eight miles, from which they took their departure. Nothing
"worthy of particular remark occurred until the 28th. – At 5 P.M. Spoke the
"Ship E. Perkins from Liverpool for New Orleans. At 11 P.M. the Hole in the
"Wall Light bore North by compass distant about four miles. Monday
"the 29th at 2 P.M. came to anchor with both anchor off the Great Isaacs
"with fifty fathoms chain on the larboard and about fifteen on the Starboard,
"in nine fathoms water, the North western point of the Island bearing by
"compass S.E. by S. distant about two miles; the weather fine and the wind mo-
"derate from S.S.W. Furled all sails and got on deck fifty fathoms of the Star-
"board and fifteen fathoms of the larboard chain At 2 A.M. the wind
"changed suddenly to North West and blew with great violence accompanied with
"very heavy rain. Immediately set the watch to paying out the Starboard
"chain. Finding the Ship dragging her Anchors, called all hands, and
"paid out to the bitter ends of both chains. The Ship still continuing
"to drag, cut away the Foremast. While in the act of cutting away the
"Mainmast the Ship struck, and while endeavoring to save their lives, she
"went to pieces. A very heavy sea breaking on the Rocks, by day light
"the Vessel was entirely broken to atoms, the wreck washed ashore and the
"Cargo entirely destroyed. _____

"_____ On the first day of November instant the master Mate and the
"Survivors of the passengers and crew were taken off the Island by the Ship
"Bangor Philbrook master and on the Seventh instant they arrived at the
"Port of Mobile. _____

"_____ And the said Appearers did further severally declare, that the said
"Bark at the time of her departure from New York aforesaid, upon the said
"intended voyage, was tight, staunch and strong, and had her hatches well
"and sufficiently caulked and covered, and was well and sufficiently man-
"ned, provided and furnished with all things needful and necessary for the
"said voyage, And that during the said voyage the said appearers and

" Ship's Company used their utmost endeavors to preserve the said Bark and
" the Goods of her loading from damage. ——
" —— (Signed) David A. Nye. ——
" —— " Henry W. Ray. ——
" —— And therefore the said David A. Nye did declare to Protest, as by
" these presents he doth solemnly Protest against all and every person or persons
" whom it shall or may concern; and doth declare that all damages, losses and
" detriments that have happened to the said Bark and the Goods of her loading,
" are, and ought to be borne by the Merchants and Freighters interested, or whomsoever
" else it shall or may concern, (by way of Average or otherwise) the same having
" occurred as is before mentioned, and not by or through the insufficiency of the said
" Bark or neglect of said first appearer, his officers, or any of his Mariners. ——
" —— All which matters and things were declared, alleged
" and affirmed, as is before set forth, in the presence of
" me, the said notary; And, therefore, I have hereunto
" subscribed my name and affixed my Notarial Seal,
" being requested to testify and certify the premises. —
" Thus done and Protested at Mobile aforesaid, the
" day and year first above written. ——
" —— J. J. Secor Notary Public. ——

S. Secor, Notary Public. Mobile, Ala.

" The State of Alabama,
" —— Mobile County. —— } ss.
" —— I, Joshua J. Secor, Notary public in and for
" said County, duly commissioned and sworn dwelling in the city of Mobile, do hereby
" Certify the foregoing as a true and correct copy of the Original Protest of David A. Nye Master
" of the Bark Elijah Swift of Falmouth on record in my Office. — I further certify that the
" Mariners of said Bark, when requested to sign the Original Protest of which this is a copy,
" refused in my presence to sign any Protest whatever, unless the Master would furnish each
" of them with a suit of Clothes. ——
" —— Witness, my hand and Notarial Seal, this Eighth
" day of November in the year of our Lord One thousand
" eight hundred and forty nine. ——
" —— J. J. Secor Notary Public. ——

S. Secor, Notary Public. Mobile, Ala.

—— And next to the aforesaid Copy of Protest above transcribed and
registered, comes a certified copy of a declaration made by W. J. Philbrook, /.

master of the Ship Bangor, and being in the words following, to wit:—
"—— I, William J. Phillbrook master of the Ship Bangor of
"New Orleans do hereby certify that on the first day of November instant
"I received on board my Ship the Master and Mate, and the survivors
"of the passengers and Crew of the Bark Elijah Swift of Falmouth &c
"and that said Bark and her Cargo were entirely destroyed — said
"Vessel having been wrecked as is set forth in the foregoing Protest.——
"—— Mobile November 8th 1849. ——
"——(Signed) W. J. Phillbrook. —
"—— A true Copy ——
"——J. S. Secor. ——

——— And I, the said Notary, after having carefully compared and collated the said Original Document or Instrument of writing with the foregoing transcript or record thereof, and found the same to correspond in every respect and particular, did deliver the said Original Document to the said Gordon Plummer who hereby acknowledges the receipt and possession thereof. ———

——— Thus Done and Registered, in my Office, at the city of New Orleans aforesaid, on the day, month and year first above written in the presence of Edm. Honan Malus and Edward Toby, competent Witnesses, who have hereunto signed their names with the said appearer and me Notary. ———

E. Honan Malus

Gordon Plummer

Edward Toby

Wm Plummer

W. J. Phillbrook

No. 419 296
New Orleans, 15th November 1849
Registry of the Protest
Of Bark Elijah Swift
at the request of
Gordon Plummer

United States of America,
State of Louisiana,
City of New Orleans

Be it Known that on this Fifteenth day of November, in the year of our Lord one thousand eight hundred and forty-nine, and in the Seventy-fourth of the Independence of the United States of America,

Before Me, Lucien Hermann, a Notary Public duly Sworn and Commissioned in and for this Parish of Orleans, State of Louisiana, and in the presence of witnesses hereinafter named and undersigned,

Personally Came and Appeared Gordon Plummer Esquire, a resident of this city of New Orleans; Who presented to me, the undersigned notary, a certain document or Instrument of Writing purporting to be a certified copy of the Protest of the Bark called the "Elijah Swift" made and extended by David A. Nye, master thereof and part of his crew, before Joshua S. Secor a notary public in and for Mobile County, State of Alabama, on the Eighth day of November instant; and further requested me, said notary, to enregister and transcribe the same in extenso into my current Notarial Register, there to remain and serve for reference in case of need hereafter; which said Document is in the words and figures following, To wit:

"United States of America,
State of Alabama,
Mobile County

By this Public Instrument of Protest,

Be it known and made manifest to all whom these presents shall or may concern, that on the Eighth day of November in the year of our Lord One thousand eight hundred and forty-nine, Before me Joshua S. Secor, notary public in and for said County, duly commissioned and sworn, dwelling in the city of Mobile, ~ Personally came and appeared, David A. Nye, master of the Bark called the Elijah Swift belonging to the Port of Falmouth, Mass. of the burthen of three hundred and ninety-five tons, or thereabouts, who now wishes to extend a Protest and for that purpose has brought with him Henry W. Kay, mate of said Bark who being by me duly sworn according to law, do severally declare and say of their own free will and accord, that they the said Master and mate sailed from the Port of New York for the Port of New Orleans on board of said Bark, she being laden with an assorted Cargo of Merchandise, on Saturday the 20th day of October last – viz. Said Bark being at anchor in the North River at 5 A.M. the Pilot came on board – weighed anchor and proceeded toward sea. At 4 P.M. anchored off the S.W. Buoy[?], New York Bay[?], the wind being from S.S.E. – Sunday the 21st at 1 P.M. weighed anchor and proceeded to see in company with ship Nicholas Biddle – wind S.S.E. – At 8 o'clock P.M. the lights on the Highlands bore N.W. by compass distant about eight miles, from which they took their departure. Nothing worthy of particular remark occurred until the 28th – At 5 P.M. spoke the ship E. Perkins from Liverpool for New Orleans. At 11 P.M. the Hole in the Wall [Abacos, Bahamas] light bore north by compass distant about four miles. Monday the 29th at 2 P.M. came to anchor with both anchors off the Great Isaacs [Bahamas] with fifty fathoms chain on the larboard and about fifteen on the Starboard in nine fathoms water, the Northwestern

point of the Island bearing by compass S.E. by S. distant about two miles; the weather fine and the wind moderate from S.S.W. Furled all sails and got on deck fifty fathoms of the Starboard and fifteen fathoms of the larboard chain. At 2 A.M. the wind changed suddenly to North West and blew with great violence accompanied with very heavy rain. Immediately set the watch to paying out the Starboard chain. Finding the ship dragging her anchors, called all hands and paid out to the bitter ends of both chains. The Ship still continuing to drag, cut away the Foremast. While in the act of cutting away the mainmast, the ship struck, and while endeavoring to save their lives, she went to pieces. A very heavy sea breaking on the Rocks, by daylight the vessel was entirely broken to atoms, the wreck washed ashore and the Cargo entirely destroyed.

On the first day of November instant the master, mate and the survivors of the passengers and crew were taken off the Island by the ship Bangor, Philbrook master, and on the Seventh instant they arrived at the Port of Mobile.

And the said Appearers did further severally declare, that the said Bark at the time of her departure from New York aforesaid, upon the said intended voyage, was tight, staunch, and strong, and had her hatches will and sufficiently caulked and covered, and was well and sufficiently manned, provided and furnished with all things needful and necessary for the said voyage, and that during the said voyage the said appearers and [297] Ship's company used their utmost endeavors to preserve the said Bark and the Goods of her loading from damage.

(Signed) David A. Nye

" Henry W. Kay

And therefore the said David A. Nye did declare to Protest, as by these presents he doth solemnly Protest against all and every person or persons whom it shall or may concern; and doth declare that all damages, losses, and detriments that have happened to the said Bark and the Goods of hear loading are, and ought to be borne by the Merchants and Freighters interested, or whomsoever else it shall or may concern, (by way of Average or otherwise,) the same having occurred as is before mentioned, and not by or through the insufficiency of the said Bark or neglect of said first appearer, his officers, or any of his mariners.

{J.S. Secor,
Notary Public
Mobile, Ala.
[SEAL]}

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

Thus done and Protested at Mobile aforesaid, the day and year above written.

J.S. Secor, Notary Public

The State of Alabama, }S.S.
Mobile County }

I, Joshua S. Secor, Notary Public in and for said County, duly commissioned and sworn, dwelling in the city of Mobile, do hereby certify the foregoing as a true and correct copy of the Original Protest of David A. Nye, master of the Bark Elijah Swift of Falmouth on record in my office.__I further certify that the mariners of said Bark, when requested to sign the original Protest of which this is a copy, refused in my presence to sign any Protest whatever, unless the Master would furnish such of them with a suit of clothes.

{J.S. Secor,
Notary Public
Mobile, Ala.
[SEAL]}

Witness, my hand and Notarial Seal, this Eighth day of November in the year of our Lord One thousand eight hundred and forty-nine.

J.S. Secor, Notary Public

And next to the aforesaid Copy of Protest above transcribed and registered comes a certified copy of a declaration made by W.J. Philbrook, master of the ship Bangor, and being in the words following, To wit:____I William J. Philbrook, master of the ship Bangor of New Orleans do hereby certify that on the first day of November instant I received on board my ship the Master and Mate and the survivors of the passengers and Crew of the Bark Elijah Swift of Falmouth, and that said Bark and her cargo were entirely destroyed Said Vessel having been wrecked as is set forth in the foregoing Protest.

Mobile November 8th 1849

(Signed) W.J. Philbrook

A true copy

J.S. Secor"

And I, the said Notary, after having carefully compared and collated the said Original Document or Instrument of writing with the foregoing transcript or record thereof, and found the same to correspond in every respect and particular, did deliver the said original Document to the said Gordon Plummer who hereby acknowledges the receipt and possession thereof.

Thus Done and Registered, in my office, at the city of New Orleans aforesaid, on the day, month and year first above written in the presence of Edw. Florian Malus and Edward Toby, competent witnesses, who have hereunto signed their names with the said appearer and me notary.

E. Florian Malus Gordon Plummer

Edward Toby

L. Hermann
Not. Pub.

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

No. 20
N.O. 25th February 1850.
Protest
Schooner Lucifer
John Lawson, Master.

By this Public Instrument of Protest.

BE IT KNOWN, That on the Twentieth day of February in the year of our Lord one thousand eight hundred and ~~forty~~ fifty and of the Independence of the United States of America, the Seventy fourth,

Before Me, Lucien Herrmann, a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, STATE OF LOUISIANA, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, John Lawson, master of the Schooner called the Lucifer, and noted in due form of law with me, Notary, his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said J. Lawson, Master and requires me to extend his Protest, and together with the said J. Lawson, master, also come James McFarland (and James Miller, mariner of the Schooner Major Brach also in town of the Said Steamer at the time of the disaster hereinafter mentioned belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Saturday, the twenty fourth day of February instant, 1850, the said John Lawson departed in and with the said Schooner Lucifer as Master thereof from Mermentau River, having on board the said Schooner, a cargo of Sugar, molasses and hides and bound for the Port of New Orleans, La that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

On the Day and Date above mentioned got under way at eight o'clock in the morning, proceeded down the Said River Mermentau, crossed the Bar thereof on the Same day at Ten o'clock in the morning and Stood out for Sea East,

the Bar bearing West; on Sunday, the Tenth of February, had North West wind; on the next day, the eleventh, wind blows North West; On Tuesday, the Twelfth of February, at eight o'clock P.M. came to anchor in three fathoms of water at a distance of about One hundred and Ninety Miles from the mouth of the said Mumentau River; On Thursday, the Thirteenth of February, at six o'clock A.M. parted the Cable and lost the Anchor, made sail, double reef mainsail and fore sail, wind blowing West and Comes East North East; On Thursday, the Fourteenth, hove to under mainsail and jib during the night; On Friday, the fifteenth, at four

Wednesday

O'clock A. M. made all Sails, Steering North, and ~~made the~~ South West Pass Light; On the Same day, at ten o'clock A. M. the Tow Boat Star Came along side, took hold of the Schooner and Towed her over the Bar; Parted the Schooner from the Tow Boat, put her under all Sails and Came alongside of the Wood wharf there and Made fast; The Next Day, Saturday the Sixteenth, cleared the deck and got ready for a Tow; On Sunday, the Seventeenth, at Ten o'clock a. M. the Tow Boat Shark Came alongside and took the Schooner in Tow a stern, and while being towed up the River ~~and~~ in Consequence of She being ~~Tow~~ forced along too rapedely, the water came

~~Pouring~~ over her decks ~~and~~ causing her to ~~fill~~ capsize and by reason of which the said Schooner ~~Capsized~~ filled with water and sunk entirely, near the place called the Spanish Store about fifty miles from this City

and the said J. Lawson further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Schooner or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said John Lawson or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said J. Lawson doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **Publicly and solemnly Protest against Winds, Weather,** total loss of Vessel, Cargo and Specie while proceeding up the River in Tow of the Steamer Shark — —

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Schooner — — or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Schooner — the owner or owners of the said Schooner — or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or inrusers of the said Schooner — or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred or hereafter to be incured, do fall on him the said John Lawson — — — his officers or crew.

THUS DONE AND PROTESTED, at my office in the City of NEW ORLEANS, this Twenty fifth day of February — in the year of our Lord one thousand eight hundred and ~~forty~~ fifty, — in the presence of C. LaBiche and Hunein & C. Planeau Malus — both of this City, competent witnesses, who heseunto sign their names, together with the said Appearers, and me, said Notary.

Edward Doby

E. Phranklaus

Thos. Lawson

Thos. McCleland

James Miller master Schooner Tag

Mt. Hornum

Mt. Pab.

No. 107 195
25 February 1850
Protest of Schooner Lucifer
John Lawson, Master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twentieth day of February in the year of our Lord one thousand eight hundred and fifty, and of the Independence of the United States of America, the Seventy-fourth, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared John Lawson, Master of the Schooner called the Lucifer, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said John Lawson and requires me to extend his Protest, and together with the said John Lawson also come James McFarland (and James Miller, Master of the Schooner Major Beach also in tow of the said Steamer at the time of the disaster hereinafter mentioned) belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Saturday, the ninth day of February, instant 1850, he, the said John Lawson departed in and with the said Schooner Lucifer as Master thereof from Mermentau River having on board the said Schooner a cargo of Sugar, molasses, and hides, and bound for the Port of New Orleans, La. that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

On the Day and Date above mentioned got under way at eight o'clock in the morning, proceeded down the said River Mermentau, crossed the Bar thereof on the same day at Ten o'clock in the morning and stood out for Sea East, the Bar bearing West; on Sunday the Tenth of February, had North West wind; on the next day, the eleventh, wind blowing North West; On Tuesday, the Twelfth of February, at eight o'clock P.M. came to anchor in three fathoms of water at a distance of about One hundred and Ninety miles from the mouth of Said Mermentau River; on Thursday, the Thirteenth of February, at six O'clock A.M. parted the Cable and lost the Anchor; made sail, double reef, mainsail and foresail, wind blowing West and Course East North East; on Thursday, the Fourteenth, hove to under mainsail and jib during the night. On Friday, the fifteenth, at four [196] O'clock A.M. made all sails, steering north, and made the South West pass Light; On the same day, at ten o'clock A.M. the Tow Boat Star came along side, took hold of the Schooner and towed her over the Bar; parted the Schooner from the Tow Boat, put her under all sails and came alongside of the wood wharf there and made fast; The next day, Saturday the Sixteenth, cleared the deck and got ready for a Tow; On Sunday, the Seventeenth at Ten o'clock A.M. the Tow Boat Shark came alongside and took the Schooner in Tow astern, and while being towed up the River in Consequence of She being forced along too rapidly, the water came over her deck causing her to capsize by reason of which the Said Schooner filled with water and sunk entirely, near the place called the Spanish Stones about fifty miles from this city~~~

and the said J. Lawson further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Schooner or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said John Lawson or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said J. Lawson doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, total loss of vessel, cargo, and specie while proceeding up the River in Tow of the Steamer Shark~~ and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Schooner or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Schooner the owner or owners of the said Schooner or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Schooner or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said John Lawson his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-fifth day of February in the year of our Lord one thousand eight hundred and fifty in the presence of C. LaBedoyere Kernion Jr. & E. Florian Malus, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

Edward Toby [signed as witness, but not named above]

E. Florian Malus

Charles LaBedoyere Kernion Jr.

John Lawson

James McFarland

James Miller, master
Schooner Major Beach

L. Hermann
Not. Pub.

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

No. 51.
11 February 1850. —
Protest —
Ship Russia —
P. C. Wilson, Master. —

By this Public Instrument of Protest.

BE IT KNOWN, That on the Eleventh day of February in the year of our Lord one thousand eight hundred and fifty- and of the Independence of the United States of America, the Seventy fourth Before Me, Lucien Hermann a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of NEW ORLEANS, STATE OF LOUISIANA, duly Commissioned and sworn, PERSONALLY CAME AND APPEARED, P. C. Wilson, Master of the Am. Ship called the Russia.

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

...e, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, ...said, again comes the said P. C. Wilson and requires me to extend his Protest, and together with ...said P. C. Wilson also come William Jones 1st Mate, Peter Holmes Carpenter, Samuel Haggett, ...Seaman, John Douglas, James Gommus, Francis Brown, Wm H. White, Andrew Bromford, Andrew ...Peter Halset, Fred.k Brown, James Spencer, Seamen, & Angelo Smith, Cook, all ...belonging to the aforesaid Ship all of whom being by me duly sworn on the Holy Evangelists of Almighty ...voluntarily, freely, and solemnly declare and depose as follows, that is to say, that on Monday ...fourth day of February 1850 (civil time) ...said P. C. Wilson departed in and with the said Ship ...Master thereof from New Orleans La.

...ing on board the said Vessel a cargo of assorted Merchandize ...bound for the Port of San Francisco. Cal.a

...the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed ...secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect ...for sea and the voyage she was about to undertake: Got ready for departure on the day and date above written, cast off from along-side the Levee at 4 P.M. and proceeded down the River Mississippi in tow of Steamer Defiance and after some delay in 3 M. making up the tow they left the harbor and continued down

said river until the preceeding day at 11. A. M.
when the Pilot brot the Ship to anchor, waiting for
high water on the Bar — on Wednesday 6th
February (Rea time) commences with moderate
breezes from N and Eastward — At 2 P. M. the
Steamer Phoenix came alongside, weighed anchor, and
~~got under~~ at 3 P. M. passed over the bar at the
mouth of the river, when having discharged the
Pilot and cast off from both Steamers, they
made sail and stood out to sea, steering to
the Southward and Eastward — At 12 Mid-
night tacked Ship to the Northward — Middle
part baffling winds — At 8 A M S. W. Pass Light in Sight
bearing N. W. by W. distant about 12 miles — tacked
Ship to the Southward — day Mod, with moderate breezes
and fine weather — all drawing sail set by the
wind — Lat. by Obs. 28. 35 North — Thursday 7
Feby. comes in with fresh breezes from the Eastward

at 7 P.M. Encountered heavy squally from the Eastward — double reefed Topsails, took in Jib, Mainsail & Spanker and wore Ship to the Southward — Middle part of this day had strong gale from E. by S. at 4 A.M. wore Ship to the Northward & set the Mainsail, Jib and Spanker — at 6 let one reef out of the Topsails — wind more moderate — day Ends pleasant — Friday 8th February Comes in with steady breze, E.S.E. and cloudy weather — all drawing sails set by the wind — At 6 A.M. tacked Ship to the Southward — at 8 P.M. tacked to the Northward and Eastward — at about 8.30 P.M. discovered smoke to be issuing from the Cabin Hatch. — Immediately made all Exertion in their power to Confine the fire by fastening the Cabin & securing doors, windows &c. and kept the Vessel off to the Northward and westward — At all 10 P.M. the fire burst out from the Cabin doors & windows, when the Captain was compelled to order the boats launched, which being done all hands abandoned the Vessel, it being impossible for them to remain on board any longer without imminent danger of their lives, — Remained near the Ship until she grounded opposite the Pilot Station, when the Officers & crew were assisted to the shore by Pilots and afterwards took passage in the Steamer Mary Rimpland for New Orleans, the Vessel in the Meantime having burnt to the Waters Edge

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Wilson doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **Publicly and solemnly Protest against Winds, Weather,** Fire &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or intusers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incured or hereafter to be incured, do fall on him the said J. C. Wilson his officers or crew.

Edward Toby
E. Avian Mdeus

THUS DONE AND PROTESTED, at my office in the City of NEW ORLEANS, this Eleventh day of February in the year of our Lord one thousand eight hundred and forty-fifty in the presence of Edw Toby E. Avian Mdeus both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

J. C. Wilson		Francois Brown	Seaman
William Jones	Mate	William H. White	do
Peter Halset	Capt	Andrew Cooper	do
Samuel Tagges		Andrew Cooper	do
Matthew Denuthe	Seaman	Peter X Halset	do
John Douglass	do	Frederick X Brown	do
James Summers	do	Angelo P X Smith	Cook

Pierre X Spencer
his mark
Seaman

No. 81, 11 February 1850 148
Protest of Ship Russia
P.O Wilson, Master

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eleventh day of February in the year of our Lord one thousand eight hundred and fifty, and of the Independence of the United States of America, the Seventy-fourth, Before Me, Lucien Hermann, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared P.O. Wilson, Master of the Am. Ship called the Russia, and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said P.O. Wilson and requires me to extend his Protest, and together with the said P.O. Wilson also come William Jones 1st Mate; Peter Holmes, carpenter; Samuel Haggett, Matthew Deiurna[?], John Douglass, James Sommers, Francis Brown, Wm. H. White, Andrew Crawford, Andrew Dreyer[?], Peter Halset, Frederick Brown, James Spencer, seamen; & Angelo Smith, cook, all belonging to the aforesaid ship all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday, fourth day of February 1850 (civil time), he, the said P.O. Wilson departed in and with the said Ship as Master thereof from the port of New Orleans having on board the said Vessel a cargo of assorted Merchandise, and bound for the Port of San Francisco, Cala. that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted and manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Got ready for departure on the day and date above written, cast off from alongside the Levee 2 @ My at 4 P.M. and proceeded down the River Mississippi in tow of Steamer Defiance and after some delay in 3 @ My making up the tow they left the harbor and continued down said river until the succeeding day at 11 A.M. when the Pilot brot [*sic*] the Ship to anchor, waiting for high water on the Bar ~~ Wednesday 6th February (sea time) commenced with moderate breezes from N and Eastward – At 2 P.M. the Steamer Phoenix came alongside, weighed anchor, and at 3 P.M. passed over the bar at the mouth of the river, when having discharged the Pilot and cast off from both Steamers, they made sail and stood out to sea, steering to the Southward and Eastward – At 12 midnight tacked Ship to the Northward – Middle part baffling winds – At 8 A.M. S.W. Pass Light in sight bearing N.W. by W. distant about 12 miles, tacked Ship to the Southward – day end, with moderated breezes and fine weather – all drawing sail set by the wind – Lat. By Obs. 28.35 North – Thursday 7th Feby. comes in with fresh breezes from the Eastward; [149] at 9 P.M. encountered heavy squalls from the Eastward – double reefed Topsails, took in Jib, Mainsail, and spanker and wore Ship to the Southward – Middle part of this day had strong gales from E. by S. At 4 A.M. wove Ship to the Northward & set the Mainsail, Jib, and Spanker – at 6 let one reef out of the topsails – wind more moderate – day ends pleasant – Friday 8th February comes in with steady breeze, E.S.E. and cloudy weather – all drawing sails set by the wind – At 6 P.M. tack ship to the Southward – at 8 P.M. tacked to the Northward and Eastward – at about 8:30 P.M. discovered smoke to be issuing from the Cabin Hatch. Immediately made all exertion in their power to confine the fire by fastening the Cabin & securing doors, windows, & and kept the vessel off to the Northward and westward – At about 10 P.M. the fire burst out from the Cabin door & windows when the Captain was compelled to order the boat

launched, which being done all hands abandoned the Vessel, it being impossible for them to remain on board any longer without imminent danger of their lives – Remained near the Ship until she grounded opposite the Pilot Station, when the officers & crew were assisted to the shore by Pilot – and afterward took passage in the Steamer Mary Kingsland for New Orleans, the Vessel in the meantime having burnt to the Water's edge

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Wilson doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Fire &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said P.O. Wilson his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Eleventh day of February in the year of our Lord one thousand eight hundred and fifty in the presence of Edwd. Toby and E. Florian Malus, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

Edward Toby

E. Florian Malus

P.O. Wilson, Master		Francis Brown, Seaman
William Jones, mate		William H. White, do.
Peter Holmes, carpenter		Andrew Crawford, do.
Samuel Haggett, Seaman		Andrew Dweyer[?], do
Matthew Deiurna[?], Seaman		Peter Halset, do.
John Douglass, do.	X	Frederick Brown, do.
James Sommers, do.	X	Angelo P. Smith, cook
James Spencer, Seaman		

Lucien Hermann
Notary Public

Ch. 59.
Ent. 2nd Pull
Protest —
— ok —
Buckeye —

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on the Second day of March in the year of our Lord one thousand eight hundred and forty-four and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the Sixty eighth BEFORE ME, GREENBURY RIDGELY STRINGER, a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, George H. Caldwell Master of the Steam Boat called the Buckeye, and noted in due form of law with me the aforesaid Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said George H. Caldwell and requires me to extend his Protest, and together with the said Master also come Austin T. Heaving Pilot, John Drown Eng. Wm H. H. Drown do. J. Figg deck hand, Tam George Bar Keeper, Lewis Rhodes and Joseph Martin Deck hands belonging to the aforesaid Steam Boat Buckeye all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Twenty seventh day of February last past he, the said Master ~~set sail and~~ departed in and with the said Steamer as Master thereof from the port of New Orleans, having on board the said Boat a cargo of Merchandise &c and bound for the Port of Ouachita La. that the said Steamer Buckeye was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

Nothing very material occurred worthy of Note, from the time the Steamer left New Orleans, until Friday morning the first day of March following. On this latter day at Three Oclock A. M. entered the lower

mouth of Old River, proceeded nearly two miles, and was passing one of the Bends to the left of the middle of the river, as far in shore as it was safe to run, in consequence of the many Snags, about there and also a large Bar that makes out near to the middle of the river on the left ——

—— At this time (it being bright moonlight and clear weather) the Pilot of the Buckeye first discovered a Steamboat (since asertained to be the De Soto) coming in a different direction towards the Buckeye —— Immediately rang the alarm Bell, stopped the engine, and endeavored to back the boat and if possible avoid a collision, but before this could be done, the De Soto run into the Buckeye, striking her on the starboard side between the Hatch and Jackstaff, causing her to sink almost im-

mediately after, in about twenty five feet of water, where she now lies, with the end of her yawl (then) above water ——

——— After the collision, the De Soto's stem, swung round along the Starboard side of the Buckeye, and then drifted into the bend on the opposite side of the river, carrying with her, the Cabin of the Buckeye, which had separated from the Hull —

And the said appearers further state, that at the time of the collision, the Buckeye was in her proper position, in pursuing her voyage and that the De Soto struck her at nearly right angles, the stem of the De Soto swung round to the stem of the Buckeye, leaving the Bows of both Boats pointing up the River

and the said appearers _____ further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steamboat _____ or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said _____ Steam Boat Buckeye _____ or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said George H. Caldwell _____ doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Collisions &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamboat _____ or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamboat _____ the owner or owners of the said Steamboat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamboat _____ or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said George H. Caldwell _____ his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Fourth _____ *day of* March _____ *in the year of our Lord one thousand eight hundred and forty-four* _____ *in the presence of* A. C. Ainsworth _____ *and* Gordon Plummer _____ *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

A. C. Ainsworth — Geo. H. Caldwell master

Gordon Plummer — Austin P. Fleming 2nd clk

" — John Brown Eng

Wm H. H. Brown Do

James Higgs deckhand

Lewis his X mark Rhodes deckhand

Joseph Martin deckhand

R. Plummer

R. L. Pitt

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Second day of March in the year of our Lord one thousand eight hundred and forty-four, and of the Independence of the United States of America, the sixty-eighth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared George H. Caldwell, Master of the Steam Boat called the Buckeye, and noted in due form of law with me—the aforesaid Notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said George H. Caldwell and requires me to extend his Protest, and together with the said Master also come Austin T. Herring, Pilot; John Drown, Eng.; Wm. H.H. Drown, do.; J. Figg, deck hand; Saml. Lecoye, Bar Keeper; Lewis Rhodes and Joseph Marten, Deck hands, belonging to the aforesaid Steam Boat Buckeye all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Twenty-seventh day of February last past, he, the said Master departed in and with the said Steamer as Master thereof from the port of New Orleans having on board the said Boat a cargo of Merchandise &c, and bound for the Port of Ouachita, La. that the said Steamer Buckeye was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Nothing very material occurred worthy of Note from the time the Steamer left New Orleans until Friday morning the first day of March following.
>
> – On this latter day at Three O'clock A.M. entered the lower mouth of Old River, proceeded nearly two miles, and was passing one of the Bends to the left of the middle of the river, as far in shore as it was safe to run, in consequence of the many snags about there and also a large Bar that makes out near to the middle of the river on the left~
>
> – At this time (it being bright moonlight and clear weather) The Pilot of the Buckeye first discovered a Steamboat (since ascertained to be the De Soto) coming in a different direction towards the Buckeye ~~ Immediately rang the alarm Bell, stopped the engine and endeavored to back the boat and if possible avoid a collision, but before this could be done, the De Soto run [*sic*] into the Buckeye striking her on the starboard side between the Hatch and Jackstaff causing her to sink almost immediately [111] after in about twenty-five feet of water, where she now lies, with the end of her yawl (then) above water ~~
>
> – After the collision, the De Soto's stern swung round along the Starboard side of the Buckeye, and then drifted into the bend on the opposite side of the river, carrying with her the Cabin of the Buckeye, which had separated from the Hull~
>
> And the said appearers further state that at the time of the collision, the Buckeye was in her proper position, in pursuing her voyage and that the De Soto struck her at nearly right angles & the stern of the De Soto swung round to the stern of the Buckeye, leaving the bows of both Boats pointing up the River

and the said appearers further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steamboat or her said cargo, has been

occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Steamboat Buckeye or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said George H. Caldwell doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, collisions &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamboat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamboat the owner or owners of the said Steamboat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamboat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said George H. Caldwell his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Fourth day of March in the year of our Lord one thousand eight hundred and forty-four in the presence of A.C. Ainsworth and Gordon Plummer, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

A.C. Ainsworth

Gordon Plummer

Geo. H. Caldwell, Master

Austin P. Herring, Pilot

John Drown, Eng.

Wm. H.H. Drown, Do.

James Figg, deck hand

Samuel Le Coye, Bar Keeper

X Lewis Rhodes, deck hand

Joseph Marten, deck hand

G.R. Stringer
Notary Public

No. 12

January 13th 1845

Protest of Flat Boat Number One

22 12

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on the Thirteenth day of January in the year of our Lord one thousand eight hundred and forty-five, and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the sixty ninth BEFORE ME, **GREENBURY RIDGELY STRINGER,** a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Moses Craige Master or Captain of the "Flat Boat" called the "Number One", who on the ninth instant at Grand Gulf, in Claiborne Co, Miss, noted in due form of law with W. B. McLean, a justice of the Peace & ex officio Notary therein, his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Moses Craige, and requires me to extend his Protest, and together with the said Moses Craige also come Henry Connolley and Samuel Reynolds, hands or laborers belonging to the aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the eleventh of December last past (1844) he, the said Craige ~~set sail and~~ departed in and with the said Flat Boat as Master thereof from Louisville, Kentucky having on board the said Flat Boat, a cargo of Oats, Corn, Flour & Pork" and bound for the Port of New Orleans that the said Flat Boat was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~masted, manned, rigged, installed~~, apparelled, and appointed; and was in every respect fit for ~~navigation~~ the voyage she was about to undertake:

Nothing material occurred during the trip downward, until Sunday night the fifth instant: At about 10 o'clock P. M. while said Flat Boat was lying at anchor in about eight feet water, and about fifty feet from the shore at Palmyra Island in the Mississippi River, they were visited by a very sudden and violent

hurricane accompanied by a driving heavy rain, which broke the said Boat from her Moorings, causing him to drop her anchor out into the stream where no bottom could be reached.

The Boat was wide adrift in the channel which was running with a rapid current between the island and the shore, and the wind was blowing with terrible violence directly down stream.

During all this time, the Captain and hands on board were using their utmost skill, and strenuous exertions to reach a landing, but this seemed to be impossible.

After drifting thus, about one fourth of a mile, said Boat struck a snag side wise on, which made a hole in her, and she immediately commenced filling with water: As soon as this was discovered, set all hands to pumping and bailing the water out, but by the time she had drifted the distance of one hundred yards below said Snag, she sunk to the roof: Continuing to float, however, until we got to the Head of Big Black Island, where she struck heavily on the Bar where her remains are still supposed to lie.

At this place, to wit, at the Point Pleasant Plantation, we succeeded in taking from the Boat, Ninety One Barrels of Flour and about 100 Gunny Bags, all of which had been under water, and all of which were damaged in a greater or less degree: By the time this was done, the Boat had settled so low that nothing more could be saved;

The damaged Flour so saved as above stated was left in the care of three hands, while

State of Mississippi } Personally appeared
Claiborne County } before the undersigned, a
Justice of the Peace, in and for said County
& Cashier Notary Public. Moses Craig,
Captain of the Flat Boat Number One,
shipped from Louisville Kentucky, & loaded
with Oats, Corn Flour & Shorts, to wit.
with 1770 Sacks of Oats, 150 Sacks of
Corn 118 Barrels of Flour, & 50 Sacks
of Shorts. by William & David Davis.
the said Moses Craig, first being duly
sworn deposes, and says that on Sunday the
5th day of January 1845 about 10 o'clock at night
said Boat Number One was lying
at the shore at Palmyra Island, in
the Mississippi River, there arose a
violent storm, which broke the said
Boat Number One from the shore, and
that after the said Boat had floated
about ½ of a mile, she struck a snag, &
immediately began filling with water.
and that as soon, as he discovered it he
set all of the hands, say five to pump-
ing, and bailing her out, but about
100 yds, below the snag she sunk to
the roof. but continued to float
untill she got to the head of Big
Black Island, where she struck the
bar, at which place, to wit at the
Point Pleasant Plantation, he
succeeded in taking from her
90 Barrels of Flour from the said
boat, all of which, was more, or
less damaged, that the Boat by
this time settled so low, that
nothing more could be done with
her, that the deponent secured the

Flour so sweet, and left it in the care
those hands, to help guard over it,
that nothing was left undone that was
in his power to be done, to save the
Boat, and Cargo, nor did he, or his hands
at any time abandon her, untill she was
lost, and that no effort was spared, which
could in anywise be made use of, so
long as he was able or saw there was
any necessity for any further labor

Sworn to and subscribed
this the 9th day of
June 1844
WMm Lean J P (Seal)

his
Moses × Craige
mark

Henry Connolly Attest

The State of Mississippi
Claiborne County, ss

Come also Henry Connolly, & Samuel
Reynolds, who being duly sworn, cor-
roborate the statement of Moses Craige
set forth in the above affidavit, they
being two of the hands on the said
flat Boat at the time she sunk

Sworn to, and subscribed
this the 9th day of Jany 1844
WMm Lean J P (Seal)

Henry Connolly
Samuel × Reynolds
his
mark

Attest Henry Connolly

Now therefore Know all men by these
Presents, that I William H. McLean
Justice of the Peace, & Ex Officio Notary
Public, residing in the City of Grand-
Gulf Miss, qualified according to Law,
did Protest, and by these Presents,
do solemnly ~~[illegible]~~ publicly Protest
as well against the underwriters
of said flat Boat Mountain Boy
as against all whom it doth, or
may concern, for all loss or dam-
age, which they may or ~~[illegible]~~ sustain
of the aforesaid accident.

Thus solemnly done, and Protested
at Grand Gulf on this the 9th
day of January, 1845 as witness
my hand, and Seal of Office

W. H. McLean J.P. (Seal)
Ex Officio Not. Pub.

the present three affiants proceeded to Gramercy a distance of fourteen miles, in order to make the Note of Protest aforementioned. _____

_____ On their return exertions were made to bring the flour down, and on Friday the 10 instant the Steam Boat Lafitte was engaged to take the said Flour to the port of destination, where it has since arrived. _____

_____ The affiants declare that the said Boat was not left nor abandoned, until she was to=tally lost, and that no exertions were spared to save the said Boat, and all of the cargo therein which it was possible to get out. _____

and the said Moses Craige ______ further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat ____ or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said ______ Flat Boat ______ or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Moses Craige ______ doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Hurricanes Snags, Bars, Strandings &c ______

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Flat Boat the owner or owners of the said Flat Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat ____ or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Moses Craige, Master his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* New-Orleans, *this* Thirteenth *day of* January *in the year of our Lord one thousand eight hundred and forty-* five *in the presence of* A. C. Ainsworth *and* William Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

([illegible] words interlined)

A. C. Ainsworth

His
Moses × Craige
Mark

William Shannon

Henry Connolley

His
Samuel + Reynolds
Mark

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Thirteenth day of January in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Moses Craige, Master or Captain of the Flat Boat called the "Number One", who on the ninth instant at Grand Gulf, in Claiborne Co., Missp. noted in due form of law with W.B. McLean, a Justice of the Peace & ex officio Notary therein, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Moses Craige – and requires me to extend his Protest, and together with the said Moses Craige – also come Henry Connolley and Samuel Reynolds, hands or laborers belonging to the aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the eleventh of December last past /1844/ he, the said Craige departed in and with the said Flat Boat as Master thereof from Louisville, Kentucky having on board the said Flat Boat a cargo of Oats, Corn, Flour & Shorts [type of dough or bread made with lard], and bound for the Port of New Orleans that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

– Nothing material occurred during the trip downward, until Sunday night the fifth instant: At about 10 o'clock P.M. while said flat Boat was lying at anchor in about eight-feet of water, and about fifty feet from the shore at Palmyra Island in the Mississippi River, they were visited by a very sudden and violent hurricane accompanied by a driving heavy rain, which broke the said Boat from her moorings, causing her to drag her anchor out into the stream where no bottom could be reached.

– The Boat was wide adrift in the channel which was running with a rapid current between the island and the shore, and the wind was blowing with terrible violence directly down stream.

During all this time, the Captain and hands on board were using their utmost skill, and strenuous exertions to make a landing, but this seemed to be impossible.

– After drifting thus, about one fourth of a mile, said Boat struck a snag side wise on, which made a hole in her, and she immediately commenced filling with water: As soon as this was discovered, set all hands to pumping and bailing the water out, but by the time she had drifted the distance of one hundred yards below said snag, she sunk to the roof: continuing to float, however, until we got to the Head of Big Black Island, where she struck heavily on the Bar where her remains are still supposed to be.

– At this place, to wit, at the Point Pleasant Plantation, we succeeded in taking from the Boat, Ninety-one Barrels of Flour and about 100 Gunny sacks [?], all of which had been under water, and all of which were damaged in a greater or less degree: By the time this was done, the Boat had settled so low that nothing could be saved.

– The damaged Flour saved as above stated was left in the care of three hands, while [23] the present three appearers proceeded to Grand Gulf, a distance of fourteen miles, in order to make the Note of Protest aforementioned.

– On their return, exertions were made to bring the flour down, and on Friday the 10 instant, the Steam Boat Iretana[?] [Sretana?] was engaged to take the said Flour to the port of destination, where it has since arrived.

– The appearers declare that the said Boat was not left nor abandoned until she was totally lost, and that no exertions were spared to save the said Boat, and all of the cargo therein which it was possible to get out,

and the said Moses Craige further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Flat Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Moses Craige doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, hurricanes, snags, bars, strandings &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Flat Boat the owner or owners of the said Flat Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Moses Craige, Master, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Thirteenth day of January in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. (five words interlined)

[Signed]

A.C. Ainsworth	X	Moses Craige
William Shannon		Henry Connolley
	X	Samuel Reynolds

G.R. Stringer
Notary Public

The State of Mississippi } Personally appeared before the undersigned Justice of the Peace, in
Claiborne County, SS } and for the said County & Ex officio Notary Public, Moses Craige, Captain of the Flat Boat Number One shipped from Louisville, Kentucky and loaded with Oats, Corn, Flour & Shorts, to wit, with 1770 Sacks of Oats, 150 Sacks of Corn, 118 Barrels of Flour, & 500 Sacks of Shorts to William & David Davies, the said Moses Craige, first being duly sworn deposes, and says that on Sunday the 5th day of January 1845 about 10 O'clock, last night while

the said Boat Number One was lying at the shore of Palmyra Island in the Mississippi River, there arose a violent storm, which broke the said Boat Number One from the shore, and that after the said Boat had floated about ¼ of a mile, she struck a snag & immediately began filling with water, and that as soon as he discovered it he set all of the hands, viz five, to pumping, and bailing her out, but about 100 yds. below the snag she sunk to the roof, but continued to float until she got to the head of Big Black Island, where she struck the bar, at which place, to wit at the Point Pleasant Plantation, he succeeded in taking from her 90 Barrels of flour from the said boat, all of which was more or less damaged, that the Boat by this time settled so low, that nothing more could be done with her, that the deponent secured the Flour so saved, and left it in the care [of] three hands, to keep guard over it, that nothing was left undone that was in his power to be done, to save the Boat and Cargo, nor did he, or his hands at any time abandon her, until she was lost, and that no effort was spared, which could in anywise be made use of, so long as he was able or saw there was any necessity for any further labor.

Sworn to and subscribed this 9th day of Jany. 1845 X Moses Craige
Wm. B. McLean, J.P. {Seal}

Come also Henry Connolley & Samuel Reynolds, who being duly sworn, corroborate the statement of Moses Craige set forth in the above affidavit, they being two of the hands on the said flat Boat at the time she sunk.

Sworn to and subscribed this 9th day of Jany. 1845 Henry Connolley
Wm. B. McLean, J.P. {Seal} X Samuel Reynolds

Now therefore know all men by these presents that William B. McLean, Justice of the Peace & Ex officio Notary Public, residing in the City of Grand Gulf, Miss., qualified according to Law, did Protest and by these Presents do solemnly and publicly Protest as well against the underwriters of said flat Boat Number One as against all whom it doth or may concern for all loss or damage, which may arise as of the aforesaid accident.

Thus solemnly done and Protested at Grand Gulf on this the 9th day of January, 1845 as witness my hand and Seal of Office

W. B. McLean, J.P. {Seal}
Ex officio Not. Public

No. 16.
January 4th 1845
Protest
of
Steam Boat
Florence

33
32-16

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, That on the Fifteenth day of January in the year of our Lord one thousand eight hundred and forty-five and of the Independence of the United States of America, the Sixty ninth BEFORE ME, GREENBURY RIDGELY STRINGER, a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, Henry C. Gray Clerk of the Steam Boat Florence, who declared that on the third day of January instant, the Master called the Matthew W. Irwin noted in due form of law (with himself and others) before Richmon A. Jones Justice of Peace in and for County of Phillips State of Arkansas his Protest, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Henry C. Gray and requires me to extend his Protest, and together with the said Gray also come George Cahill, Phato, Andrew Parla, Peter Byrne deck hands belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Tuesday Twenty fourth day of December last past, at about 11 A. M. he, the said Gray ~~[illegible]~~ departed in and with the said Steamer Florence as Clerk thereof from Waterloo, Lauderdale County, Alabama having on board the said Steamer a cargo of Merchandise and bound for the Port of New Orleans that the said Boat was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~[illegible]~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~[illegible]~~ the voyage she was about to undertake:

On the day and date above mentioned, they proceeded on the passage aforesaid, having there on board part of her lading only, and stopping at sundry ports and places on the rivers to take on board more

Cargo &c. — Nothing very ma=
=terial happened worthy of note
until the Third day of Janu=
=ary following, about half past
Seven O'clock A. M. when having
arrived to within about one half
of a mile above the foot of Is=
=land Number Sixty three on the
Arkansas side of said Island, and
being at this time near the mid=
=dle of the Mississippi River, un=
=der an ordinary pressure of Steam,
the Boat suddenly struck (what
was supposed to be) a Sunken Snag,
which perforated the Hull on the
forward part of the Starboard side,
and caused the Boat to fill with
water very rapidly — The
Captain immediately gave orders
to have the Steamer rounded to,
to get her into Shoal water, and
while doing so, she sunk in about ten

United States of America, Philips County
State of Arkansas } ss

The formal instrument of Protest follows,
That on this the third day of Jany 1845 personally appeared before me, Richmond A. Jones an acting Justice of the peace and member of the County Court in and for the County of Philips State of Arkansas, duly qualified, commissioned and sworn according to law, Matthew M. Irwin Master of the Steam Boat Florence of Louisville Kentucky, Henry C. Gray Clerk of Sd boat George Cuhice mate of Sd boat, Charles Little & Wm Fingerid Engineers of Sd boat, Pinckney Stephens pilot of Sd boat, and Architaca Lick, Wm Bland, John Boyce and M Travis, passengers on Sd boat, all of whom being duly sworn according to law to speak the truth in the premises, the Captain, Clerk, mate, Engineer and pilot state, affirm and swear that the said Steam Boat Florence cleared and departed from Waterloo, Lauderdale County, State of Alabama, bound for New Orleans State of Louisiana on the 24th day of Decr 1844 at about 11 O'clock A. M. with twelve bale of Cotton & One hundred & ninetien sack of Corn. from thence the Sd boat proceeded on her voyage direct, stopping only at the different posts and landing places on the river for freight and Wood and all the affiants state and say that while proceeding on the voyage in the Mississippi River, about one half mile above the foot of Island No. fifty three on the Arkansas side of said

on this the 3rd day of Jany. about 7½ O'Clock A.M.
Island, the Sd Steam Boat being under
an ordinary prepare of Steam, Said S.
x boat Struck upon a Sunken Snag
in the river, which perforated the Hull
on the forward part of the Starboard side
which caused Sd. boat to fill with wa
+ ter immediately — the Sd. boat was
rounded to on a bar and Sunk in
about ten minutes thereafter in about
Six feet water at the bow and ten at the
Stern, that Said Striking was an una
voidable accident, resulting solely
from the perils of the river Navigation,
that Sd. boat was at the time in her pro
per position in the river, that the Sd. boat
is a total loss and the Cargo (now Consist
ing of three hundred and Seventy four bales
Cotton and Seventy Nine hogsheads of Tobacco
more or less damaged, the amt of which
cannot now be accurately known —

That said boat made no varia
tion in her voyage and was ful
ly provided with every thing
necessary to a safe prosecution of
said Voyage and was found & sea worthy

Whereupon I the said
Richmond Jones at the re
quest of Sd. Matthew W Simon
Master aforesaid do hereby so
lemnly protest against the in
Jured of said Cargo and Sd. Steam
Boat for all loss and damage
suffered and to be suffered

by reason of said accident.

Sworn and executed on board the Wreck of P.S.t Boat Florence in the Mississippi River at foot St. Island No. Six by three this third day of January in the year of Our Lord One thousand eighteenhundred & forty five.

Signed and sworn to by all the affiants in my presence.

In testimony whereof I have hereunto set my hand and seal at the time and place above written

M. B. Irvin, Master

Richmon, A, Jones (Seal)

H. C. Gray Clk
George Califf
Charles H. Lizell (Mate
Robt. Kinkead
T. S. Stephens
Jno Boyd
H. Travis
Wm. Bland
Archibald Rick

minutes, in nearly ten feet water —

Immediately made every exertion in their power to save property, all persons on board being employed, and also sent for extra assistance, Flat Boat &c which they succeeded in obtaining as soon as possible and every exertion in their power was made, night and day, to save property —

Having succeeded in getting out some Cargo into the Flat it was soon after reshipped on board Steamer Linwood Master, for New orleans — Afterwards got out from the wreck more Cargo, ~~&c~~ and shipped it on board Steamboat Louisville, Coleman, Master, all of which has been consigned to J. C. Shannon Esq. of the City. —

— A further portion of damaged Cargo was picked up in the River by sundry individuals, Salvage Charges &c paid on same, and reshipped per Steamer Kate Aubry, all of which property has been received (partly damaged) in New orleans by the Consignee, and agent for the interested parties, — The persons employed, having become much exhausted from wet and almost incessant labors in saving ~~property~~ Cargo, and it being impossible to get out any more property from the wreck, all hands were discharged — ^

And the said appearers further declare that at the time of her disaster, the said Steamer Florence was in her proper position in the River and that the accident was an unavoidable one resulting from the perils of river navigation, and not from any mismanagement on the part of either Master, Officer, or Crew. — ~~He &c~~ Captain Irwin having been left up the river attending to the savings from the wreck, the Clerk of the Steamer name is inserted at the head of this Document, in lieu thereof —

and the said Henry C. Gray further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Gray doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Snags

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Henry C Gray his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* fifteenth *day of* January *in the year of our Lord one thousand eight hundred and forty-*five *in the presence of* A. C. Ainsworth *and* Wm Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

A. C. Ainsworth

William Shannon

Henry C. Gray clk

George Cahill

Ordy Carel deckhand

Peter Byrne

R. Simpson
Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fifteenth day of January in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Henry C. Gray, Clerk of the Steam Boat called the Florence, who declared that on the third day of January instant, the Master Matthew W. Irwin noted in due form of law with (himself and others) before Richmon A. Jones Justice of the Peace in and for County of Philips, State of Arkansas his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Henry C. Gray and requires me to extend his Protest, and together with the said Gray also come George Cahill, Mate; Andrew Parel, Peter Byrne, deck hands, belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday the Twenty-fourth day of December last past at about 11 A.M. he, the said Gray departed in and with the said Steamer Florence as Clerk thereof from Waterloo, Lauderdale County, Alabama having on board the said Steamer a cargo of Merchandise, and bound for the Port of New Orleans that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

On the day and date above mentioned, they proceeded on the passage as aforesaid, having then on board part of her lading only, and stopping at sundry ports and places on the rivers to take on board more Cargo &c ~~ Nothing very material happened worthy of note until the Third day of January following, about half past Seven O'clock A.M. when having arrived to within about one-half of a mile above the foot of the Island Number Sixty-three on the Arkansas side of said Island, and being at this time near the middle of the Mississippi River, under an ordinary pressure of Steam, the Boat suddenly struck (what was supposed to be) a snag, which perforated the Hull on the forward part of the Starboard side, and cause the Boat to fill with water very rapidly ~~ The Captain immediately gave orders to have the Steamer rounded to, to get her into shoal water, and while doing so, she sunk in about ten [33] minutes in nearly ten feet water ~~

Immediately made every exertion in their power to save property, all persons on board being employed, and also sent for extra assistance, Flat Boat &c which they succeeded in obtaining as soon as possible and every exertion in their power was made, night and day, to save property ~~

Having succeeded in getting out some Cargo into the Flat it was soon after reshipped on board Steamer Linwood, [blank left for name] Master, for New Orleans ~~ Afterwards got out from the wreck more Cargo, shipped it on board Steam Boat Louisville, Coleman, Master, all of which has been consigned to P.C. Shannon, Esq. of the City. A further portion of damaged Cargo was picked up in the River by sundry individuals, Salvage charges &c paid on same, and reshipped per Steamer Kate Aubry, all of which property has been received (partly damaged) in New Orleans, by the consignee, and agent for the interested parties. The persons employed, having become much exhausted from wet and almost incessant labors in saving Cargo &c, and it being impossible to get out any more property from the wreck, all hands were discharged ~~

And the said appearers further declare that at the time of her disaster, the said Steamer Florence was in her proper position in the River and that the accident was an unavoidable one, resulting from the perils of river navigation and not from any mismanagement on the part of either Master, officer, or crew. Captain Irwin having been left up the river attending to the savings from the wreck, the Clerk of the Florence, name is inserted at the head of this document, in lieu thereof

and the said Henry C. Gray further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Gray doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, snags &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat, the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Henry C. Gray, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this fifteenth day of January in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

A.C. Ainsworth

William Shannon

Henry C. Gray, Clk.

George Cahill

Henry Parel, deckhand

Peter Byrne, deckhand

G.R. Stringer
Notary Public

United States of America, Philips County
State of Arkansas } SS ct

This formal instrument of Protest Witnesseth,

That on this the third day of Jany. 1845 personally appeared before me, Richmon A. Jones, an acting Justice of the peace and member of the County court in and for the County of

Philips, State of Arkansas, duly qualified, commissioned and sworn according to law, Matthew W. Irwin, Master of the Steam Boat Florence of Louisville, Kentucky, Henry C. Gray, Clerk of sd. Boat, George Cahill, mate of sd. Boat, Charles Littell & Ro. Kingcaid [*sic*], Engineers of sd. Boat, Pinckney Stephens, pilot of sd. Boat, and Archibald Dick, Wm. Bland, John Boyd, and M. Travis, passengers on sd. Boat, all of whom being duly sworn according to law to speak the truth in the premises, the Captain, Clerk, mate, Engineers, and Pilot state, affirm and swear that the said Steam Boat Florence cleared and departed from Waterloo, Lauderdale County, State of Alabama, bound for New Orleans, State of Louisiana on the 24th day of Decr. 1844 at about 11 O'clock A.M., with Twelve bales of Cotton and One hundred & nineteen sacks of corn from thence the sd. Boat proceeded on her voyage direct, stopping only at the different ports and landing places on the river for freight and wood, and all the affiants state and say that while proceeding on the voyage in the Mississippi River, about one-half mile along the foot of Island No. Sixty-three on the Arkansas side of said Island on this the 3rd day of Jany. about 7 ½ O'clock A.M., the sd. Steam Boat being under an ordinary pressure of Steam, said Stm. Boat struck upon a sunken snag in the river, which perforated the Hull on the forward part of the Starboard side which caused the Sd. Boat to fill with water immediately – the sd. Boat was rounded to on a bar and sunk in about ten minutes thereafter in about six feet of water at the bow and ten feet at the stern, that said striking was an unavoidable accident, resulting solely from the perils of the river navigation, that sd. Boat was at the time in her proper position in the river, that the sd. Boat is a total loss and the cargo (now consisting of three hundred and seventy four bales cotton and seventy-nine hogsheads of Tobacco more or less damaged, the amt. of which cannot be accurately known –

That said boat made no variation in her voyage and was fully provided with everything necessary to a safe prosecution of said voyage and was sound and seaworthy.

Therefore, I the said Richmon A. Jones at the request of Sd. Matthew W. Irwin, Master aforesaid, do hereby solemnly protest against the insured of said Cargo and sd. Steam Boat for all loss and damages suffered and to be suffered by reason of said accident.

Done and executed on board the wreck of sd. St. Boat Florence in the Mississippi river at foot of sd. Island No. Sixty-three this third day of January in the year of our Lord One thousand eighteen hundred [*sic*] & forty-five.

Signed and sworn to be all the affiants in my presence.

In testimony whereof I have hereunto set my hand and seal at the time and place above written.

M.W. Irwin, Master

Richmon A. Jones {seal}

H.C. Gray, Clk.
George Cahill
Charles H. Littell/Mate
Robert Kinkead
P.S. Stephens
Jn. A. Boyd
M. Travis
Wm. Bland
Archibald Dick

No. 44.

July 8th 1845

Protest.

—of—

Flat Boat A

100 44

UNITED STATES OF AMERICA,

STATE OF LOUISIANA,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on this Eighth day of February in the year of our Lord one thousand eight hundred and forty-five and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the Seventy-ninth BEFORE ME, **GREENBURY RIDGELY STRINGER,** a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** James M. Carr Master of the Flat Boat called the "A" and noted in due form of law with me the aforesaid Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Master also come Henry P. Ernst & N. S. Harper, residents of the Town of Gainesville, ~~belonging to the aforesaid Boat~~ all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 23d day of January last past he, the said Master ~~set sail and~~ departed in and with the said Boat as Master thereof from Monticello, Lawrence County, Mississippi having on board the said Boat a cargo of Cotton and bound for the Port of Pearlington on Pearl River that the said Boat was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~sea and~~ the voyage she was about to undertake:

Nothing very material occurred from the time of leaving, worthy of note, until Wednesday the 5th February following; when having arrived at or near Gainesville; at about two in the afternoon, having been informed that the Steamer Yazoo Supree was expected on the evening of that day, and as the Carga

was to be forwarded to New Orleans, from either Gainsville or Pearlington concluded to come to anchor and wait for that Boat, to ship the Cargo by her, accordingly came too at opposite to Gainsville - At dark set a watch and at about ten O'clock, having seen that all was safe, and the watch on the look out turned in - During the night called the Watch and was informed that all was safe At day light it was discovered that the Boat had listed over and had leaked very suddenly, so as to be in a sinking condition, and in a few moments after the Boat sunk - Immediately procured a pirogue from the Shore and commenced saving the Cargo, placing part of it in a Flat procured for that purpose and landed a part on the Bank of the river - Continued the labor of saving up to the evg. of the 24th, and then engaged the Steam Boat Odd Fellow to get out the bal.ce remaining in the Flat, she having strong purchases and the means of working to advantage, and being the only Steamer that could be procured - A part of the Cotton floated off when the Flat Boat fell over, and this was secured and landed by persons hired, and others -

And there appears from the depose, that the accident which happened to the said Flat Boat A as aforesaid,

occasioned by the sudden and unexpected fall of the River, by which the Boat rested on ~~a corner~~ the bank, and by this means careened over and took in water, and as she could not be got afloat, filled and fell over — The Boat was well and safely moored, and without this occurrence of the fall in the river, would have been in perfect safety —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, ~~Seas~~, and striking as aforesaid

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Flat Boat the owner or owners of the said Flat Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Carr his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Eighth *day of* Feby *in the year of our Lord one thousand eight hundred and forty-*five *in the presence of* A. C. Amsworth *and* William Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

The words "of the"
"by"
"corner of the Boat"
inserted before signing

A. C. Amsworth

William Shannon

D. A. McCarty

H. S. Pearson

Henry H. Crook

R. Simmons

Notarial Archives
1340 Poydras St. Suite 3
New Orleans, LA 70
REF FEB 23 2010

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eighth day of February in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared James M. Carr, Master of the Flat Boat called the "A" and noted in due form of law with me the aforesaid Notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Master also come Henry Prask & H.S. Harper, residents of the town of Gainesville, all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 23rd day of January last past he, the said Master departed in and with the said Boat as Master thereof from Monticello, Lawrence County, Mississippi having on board the said Boat a cargo of Cotton, and bound for the Port of Pearlington on Pearl River that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Nothing very material occurred from the time of leaving worthy of note, until Wednesday the 5th February following, when having arrived at or near Gainesville, at about two in the afternoon, having been informed that the steamer Jack Dupree was expected on the eve of that day, and as the cargo was to be forwarded to New Orleans from either Gainesville or Pearlington, concluded to come to anchor and wait for that Boat to reship the Cargo by her; accordingly came to opposite to Gainesville – at dark set a watch and at about ten O'clock, having seen that all was safe and the watch on the lookout turn in – During the night called the watch and was informed that all was safe. At daylight it was discovered that the Boat had listed over and had leaked very suddenly, so as to be in a sinking condition, and in a few moments after, the Boat sunk – Immediately procured assistance from the shore and commenced saving the cargo, placing part of it in a Flat procured for that purpose, and landing a part on the Bank of the river – Continued the labor of saving up to the evg. of the sixth, and then engaged the Steam Boat Odd Fellow to get out the balc. [balance] remaining in the Flat, she having strong purchases and the means of working to advantage, and being the only steamer that could be procured – A part of the cotton floated off when the Flat Boat fell over and this was secured and landed by persons hired and others –
>
> And the appearers further depose that the accident which happened to the said Flat Boat A as aforesaid, [101] occurred by the sudden and unexpected fall of the River, by which the corner of the Boat rested on the bank, and by this means careened over and took in water and as she could not be got afloat, filled and fell over – The Boat was well and safely moored and without this occurrence of the fall of the river, would have been in perfect safety~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that

the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, and sinking as aforesaid and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Flat Boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Carr his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Eighth day of February in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

The words "of the"
"by"
"corner of the Boat"
interlined before signing

[Signed]

William Shannon

J.W. Gardiner

James M. Carr

H.S. Harper

Henry F. Prask

H. Brown

X J.J. Marsten [Master]

G.R. Stringer
Notary Public

No. 66

July 26th 1845

Protest of

Schooner

Merchant

140 66

UNITED STATES OF AMERICA,

STATE OF LOUISIANA,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on this *Twenty fourth* day of *February* in the year of our Lord one thousand eight hundred and forty-*five* and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the *sixty ninth* BEFORE ME, **GREENBURY RIDGELY STRINGER,** a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, *James H. Means*

Master of the *Schooner* called the

Merchant and noted in due form of law with *me the aforesaid Notary.* his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said *James H. Means* and requires me to extend his Protest, and together with the said *Means* also come *John Closser, John Burley & Thomas Stanton, James Barter Mate* belonging to the aforesaid *Schooner* all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that *on Wednesday 29th January 1845.*

he, the said *Means* as *Master* set sail and departed in and with the said *Schooner* thereof from *New York.*

having on board the said *Schooner* a cargo of *Merchandize (Granite)*

and bound for the Port of *Charleston S.C.*

that the said *Schooner Merchant* was then stout, stanch, and strong: had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got underway on the day and date above mentioned and proceeded to sea – at Noon discharged the Pilot – Wind fresh from N.N.W. –

Thursday 30th January commences with just breezes from N.N.W. – Middle part of the day more moderate from the N.W. – At Midnight made all sail – Latter part of this day fresh breezes attended with squalls –

On Friday 31st commenced with very heavy gales of wind from N.W. by W. — at 1 P.M. double reefed Mainsail, took in Jigger Sail, and Topgallant Sail; close reefed Foretopsail — at 4 P.M. took in Mainsail, ~~and~~ double reefed Foresail and Jib, and steered South, to keep the Sea on her quarter — Latter part of this day, the gale continued to increase until it blew tremendously, causing the Vessel to labor and strain very heavily, ~~and~~ On trying the Pumps, discovered her to be leaking very badly —

On the following day gale still continued as before, accompanied with Squalls, and hail, the Vessel leaking badly and the crew employed constantly pumping — at 4 P.M. took in Foretopsail, and hove to under balance reefed Mainsail, and three reefed Foresail, the Schooner labouring, straining and pitching heavily, and shipping large quantities of water — All hand employed pumping to endeavor to keep her free, the Schooner still leaking very badly — ~~On Sunday 2. February~~ at 8 P.M. the gale abated somewhat, turned one reef out of Mainsail and set the Jib —

On Sunday 2d February gale still continuing to blow heavily, with a high Sea on — at 8. P.M. it lulled which caused the Schooner to roll very heavily to the Windward, — Tore the Mainsail — hauled it down and also the Jib, and lay to under a two reefed Foresail — Middle and latter part of the day more moderate

Vessel still leaking, and crew employed at the pumps to keep her free —

Feb. 3. More moderate, baffling winds with a heavy swell on from the East, the Vessel rolling heavily and leaking as before, Middle and latter part of the day experienced very heavy gales from S.W. attended with squalls of snow and hail, all hands employed working both pumps to endeavor to keep the Vessel free, — there being at the time a tremendous sea running, the Schooner labouring straining & pitching heavily and leaking very badly and shipping much water —

Feb. 4 — gale continuing as before with a heavy cross sea on — have overboard part of the deck load — at 8 P.M. a sea broke into the Mainsail and split it badly, also stove in her quarter boards — At 4 A.M. gale increasing, split the Foresail — Vessel leaking very badly, and requiring the almost exertions of the crew to keep her free —

Feb. 5. the Vessel under bare poles and gale still continuing, attended with frequent squalls of hail and snow — at 1 P.M. wore Ship, at 3 P.M. a sea broke on our quarter, and swept her decks, washed one man overboard and disabled the Mate, Carried away Main boom, gaff, quarter rail, stanchions companionway, water casks and broke one pump — got the Helm up and run before the wind and sea — finding it impossible to send hove to, and let go the Starboard Anchor with 30 fathoms chain and showed a signal of distress — was answered by a Brig at the windward who also showed a signal of distress, and could render no assistance. =

On the following day gale still continuing, slipped her chain and ran down near the Brig, ~~to speak to~~ — at this time the crew were very much exhausted, and desirous of abandoning the Vessel and taking to the Boat, the Schooner's hull having increased so as to render it impossible for them to keep her free any longer. — Continued employed at the pumps throughout the day, all hands much exhausted, and the Schooner leaking very badly — kept the Vessel before the wind and sea — At 1.0 A.M. on this day saw a Ship steering S.S.W. showed a signal of distress, and was answered by the Ship who made preparation to speak us, — and

On the following day Friday, February 7th at about 1/2 past 2 P.M. the Ship's boat succeeded in coming nearly along-side, and ~~the Capt.~~ Captain Means after consultation, found it absolutely necessary to abandon the Schooner, as she was leaking very badly, the crew entirely exhausted from excessive pumping, and the sails nearly all rendered useless — and also ~~short~~ of water, having lost part of the water casks — In consequence of the heavy sea the boat could not come alongside, and the Master and hands were compelled to by means of a rope swing themselves from the end of her foreyard into the water to enable them to reach the boat, which being done, they were taken on board the Ship Louisa, Capt. Leavitt, and arrived in said Vessel at New Orleans on Monday 24th February —

and the said James R Means further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Schooner or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Schooner Merchant or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Leaks, Total loss and abandonment, and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said James R Means his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Twenty sixth *day of* February *in the year of our Lord one thousand eight hundred and forty-five in the presence of* A. C. Ainsworth *and* Wm Shannon, *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.* Eighteen words interlined and thirteen words erased before signing James R Means

James Banter

John Closson

his
John x Barbeg
mark

his
Thomas x Stanton
mark

A. C. Ainsworth

William Shannon

J. R. Stringer
Notary Public

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-fourth day of February in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared James R. Means, Master of the Schooner called the Merchant and noted in due form of law with me the aforesaid Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said James R. Means and requires me to extend his Protest, and together with the said Means also come John Clossen [*sic*], John Burbeg, Thomas Stanton, James Banter, mates, belonging to aforesaid schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday 29th January 1845, he, the said Means departed in and with the said Schooner as Master thereof from New York, having on board the said schooner a cargo of merchandise (Granite), and bound for the Port of Charleston, S.C. that the said Schooner Merchant was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got underway on the day and date above mentioned and proceeded to sea ~ at Noon discharged the Pilot ~ Wind fresh from N.N.W. ~

Thursday 30th January, commenced with fresh breezes from N.N.W. ~ Middle part of the day more moderate from the N.W. ~ At Midnight made all sail ~ Latter part of this day fresh breezes attended with squalls ~

On Friday 31st, commenced with very heavy gales of wind from N.W. by W. ~ At 1 P.M., double reefed Mainsail, took in square sail, and Topgallant sail; close reefed Foretopsail ~ At 4 P.M., took in Mainsail, double reefed Foresail and Jib, and steered South to keep the sea on her quarter~~ Latter part of his day, the gale continued to increase until it blew tremendously, causing the Vessel to labor and strain very heavily. On trying the Pumps, discovered her to be leaking very badly ~

On the following day, gale still continued as before, accompanied with squalls and hail, the Vessel leaking badly and the crew employed constantly pumping ~ At 4 P.M. took in Foretopsail, and hove to under balance reefed Mainsail, and then reefed Foresail, the Schooner laboring, straining, and pitching heavily, and shipping large quantities of water ~~ All hands employed pumping to endeavor to keep her free, the Schooner still leaking very freely. At 8 P.M. the gale abated somewhat, turned one reef out of Mainsail and set the Jib~

On Sunday 2nd February, gale still continuing to blow heavily, with a high sea on ~ At 8 P.M. it lulled which caused the Schooner to roll very heavily to the windward ~ Tore the Mainsail – hauled it down and also the Jib, and lay to under a two reefed Foresail ~ Middle and latter part of the day more moderate, [141] vessel still leaking, and crew employed at the pump to keep her free –

Feb. 3: More moderate, baffling winds with a heavy swell on from the East, the Vessel rolling heavily and leaking as before, Middle and latter part of the day experienced very heavy gales from S.W. attended with squalls of snow and hail, all hands employed working with pump to endeavor to keep the vessel free, ~ there being at the time a tremendous sea running, the Schooner laboring, straining & Pitching heavily and leaking very badly and shipping much water ~~

Feb. 4 – gale continuing as before with a heavy cross sea on – hove overboard part of the deck load – at 8 P.M. a sea broke into the Mainsail and split it badly, also stove in her quarter boards – at 4 A.M. gale increasing, split the Foresail ~ Vessel leaking very badly and requiring the utmost exertions of the crew to keep her free ~~

Feb. 5., the Vessel under bare poles and gale still continuing, attended with frequent squalls of hail and snow – at 1 P.M. wore Ship, at 3 P.M. a sea broke on our quarter, and swept her decks, washed one man overboard and disabled the Mate, carried away Main boom, gaff, quarter rail, stanchion, companionway, water casks, and broke one pump – get the helm up and run before the wind and sea ~ finding it impossible to scud, hove to and let go the Starboard anchor with 30 fathoms chain and showed a signal of distress ~ was answered by a Brig at the windward who also showed a signal of distress, and could render no assistance.

On the following day, gale still continued, slipped her chain and run down near the Brig – At this time the crew were very much exhausted and desirous of abandoning the Vessel and taking to the Boat, the Schooner's leak having increased so as to render it impossible for them to keep her free any longer ~ Continued employed at the pump throughout the day, all hands much exhausted, and the Schooner leaking very badly ~ kept the Vessel before the wind and sea – At 1.º A.M on this day, saw a ship steering S.S.W, showed a signal of distress, and was answered by the Ship who made preparation to speak [to] us – and

On the following day, Friday February 7 at about ½ past 2 P.M., the Ship boat succeeded in coming nearly alongside and Captain Means after consultation found it absolutely necessary to abandon the Schooner, as she was leaking very badly, the crew entirely exhausted from excessive pumping, and the sails nearly all rendered useless ~ and also out of water, having lost part of the water casks ~~ In consequence of a heavy sea the boat could not come alongside, and the Master and hands were compelled by means of a rope to swing themselves from the end of her forey[?] and into the water to enable them to reach the boat, which being done, they were taken on board the Ship Louisa, Capt. Leavitt, and arriving in said vessel at New Orleans on Monday 24th February~~

and the said Samuel R. Means further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Schooner or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Schooner Merchant or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, leaks, total losses, and abandonment and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or

the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said James R. Means his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-sixth day of February in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and Wm. Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. (eighteen words interlined and thirteen words erased before signing)

[Signed]

A.C. Ainsworth

William Shannon

James R. Means

James Banter

John Closson

X John Burbeg

X Thomas Stanton

G.R. Stringer
Notary Public

No: 87
March 18th 1845
Protest of
Flat Boat

18087

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on this Eighteenth day of March in the year of our Lord one thousand eight hundred and forty-five and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the Sixty ninth BEFORE ME, GREENBURY RIDGELY STRINGER, a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, M. C. Barkwell Owner of the Flat Boat called the and with said Barkwell also come John A. Dill, Pilot and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said M. C. Barkwell with said Pilot John A. Dill and requires me to extend his Protest, and together with the said appearers also come James Fell, one of the hands on board at time of the disaster belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 17th November 1844

he, the said Barkwell ~~set sail and~~ departed ~~in command~~ in company with the said Boat as Owner thereof from Troy, Indiana,

having on board the said Boat a cargo of Vegatables Grain &c

and bound for the Port of New orleans, La

that the said Boat was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~mastered~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~[illegible]~~ the voyage she was about to undertake:

Got underway on the date above written and proceeded down the Ohio River, and from thence into the Mississippi River, being then in command of Daniel S. Lale who commanded said boat until her arrival at Bayou Sara, where he left her, and the Boat left Bayou Sara 21st February (Friday) in charge and under the command of John A Dill

and proceeded down the Mississippi River with nothing material occurring worthy of particular note until Saturday night 15th inst. when the wind blew freshly in towards shore, and the Master of the boat found it necessary to make for the shore and tie up for the night which was accordingly done, and remained until Sunday morning at abt 9 Oclock A.M. when the boat was suddenly run into by a raft coming down the river which first struck a Corn Mill, and carried that away, afterwards both the Mill and raft came in collision with the said Flat Boat, striking it very heavily and causing the Boat to sink almost immediately, before any exertion could be made to save the ~~property~~ ~~boat from sinking~~ Cargo ~~Immediately~~ made every exertion in our power to save Cargo but did not succeed ~~in saving~~ ~~the~~ ~~in a damaged state~~ any — and one the said appearer M.C. Barkwell hereby further declares that he was the owner of Flat Boat commanded by Daniel S. Lale, and that the said boat contained, as insured, Thirty four Hogs Six head of Cattle Eighteen hundred Bushels Corn, Ten Bbl. Potatoes, Twenty seven Barrels apples, and Sixty Molasses Casks, and that at my order

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Messrs Coleman & Simms of this City effected Insurance on said Cargo to the amount of Eight hundred dollars, - and the said M. C Barkwell hereby solemly and truly swear that the said boat was sunk on her passage down the Mississippi on the opposite side from New orleans about five miles above the City of New orleans with 552 bushels Corn, 8 Bbls Potatoes and 60 molasses casks on board, all of which were totally lost to the best of my Knowledge & Belief

M. C. Barkwell

and the said M. C. Barkwell & John A. Dill further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Appearers, doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Collision

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Owners & Master, his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Eighteenth *day of* March *in the year of our Lord one thousand eight hundred and forty-five in the presence of* A. C. Ainsworth *and* Wm Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.* twenty four word erased and Twelve interlined before signing

John A Dill

James Dill

M C Barkwell Owner from Troy, Ind. to Bayou Sara

who was in company with said boat before put in charge of Capt. Jno. A. Dill at Bayousara La

A. C. Ainsworth

J. R. Stringer

Wm Shannon

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eighteenth day of March in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the Sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared M.C. Barkwell, Owner of the Flat Boat called the [blank] and with said Barkwell also came John A. Dill, Pilot and noted in due form of law with me, said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said M.C. Barkwell with said Pilot John A. Dill and requires me to extend his Protest, and together with the said appearers also come James Fell, one of the hands on board at time of the disaster &, belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 17th November 1844 he, the said Barkwell departed in company with the said Flat Boat as owner thereof from Troy, Indiana, having on board the said Boat a cargo of Vegetables, Grain &c, and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got underway on the date above written and proceeded down the Ohio River, and from there into the Mississippi River, being then in command of Daniel S. Lale who commanded said boat until her arrival at Bayou Sara [W. Feliciana Parish], where he left her, and the Boat left Bayou Sara 21st February (Friday) in charge and under the command of John A. Dill and proceeded down the Mississippi River and nothing material occurring worthy of particular note until Saturday night 15th inst., when the wind blew freshly in towards shore, and the master of the boat found it necessary to make for the shore and tie up for the night which was accordingly done, and remained until Sunday morning at abt. 9 O'clock A.M. when the boat was suddenly run into be a raft coming down the river which first struck a Corn Mill, and carved that away, after which both the Mill and raft came in collision with the said Flat Boat, striking it very heavily and causing the boat to sink almost immediately before any exertion could be made to save the cargo ~ made every exertion in our power to save cargo but did not succeed ~ And the said appearer M.C. Barkwell hereby further declares that he was the owner of Flat Boat commanded by Daniel L. Lale and that the said boat contained, as insured, Thirty-four Hogs, Six head of Cattle, Eighteen hundred bushels corn, Ten Bbl. Potatoes, Twenty-seven Barrels apples, and Sixty Molasses Casks, and that at my order, Messrs. Coleman and Simm of this city effected Insurance on said Cargo to the amount of Eight hundred dollars, _ and the said M.C. Barkwell hereby solemnly and truly swears that the said boat was sunk on her passage down the Mississippi on the opposite side from New Orleans about five miles above the City of New Orleans with 582 bushels corn, 8 Bbls. Potatoes, and 60 molasses casks on board, all of which were totally lost to the best of my knowledge and belief,
>
> M.C. Barkwell

and the said M.C. Barkwell & John A. Dill further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his

officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said appearers doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, collisions and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said owner or master, his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Eighteenth day of March in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. (twenty-four words erased and twelve interlines before signing)

[Signed]

A.C. Ainsworth John A. Dill

William Shannon James Fell

M.C. Barkwell, owner, who was in the company with said boat from Troy, Ind. to Bayou Sara before put in charge of Jno. A. Dill at Bayou Sara, La.

G.R. Stringer
Notary Public

No. 115

April 8th 1845

Protest of

Flat Boat

240 115

UNITED STATES OF AMERICA,

STATE OF LOUISIANA,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on this Fourth day of April in the year of our Lord one thousand eight hundred and forty-five and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the sixty ninth BEFORE ME, **GREENBURY RIDGELY STRINGER,** a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,**

Samuel Solly, Captain of the Flat Boat _____ called the _____ noted in due form of law with the Young Justice of the Peace in this County Ark. on the 10th March, his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Samuel Solly _____ and requires me to extend his Protest, and together with the said Samuel Solly _____ also comes Samuel F. Solly _____ belonging to the aforesaid Flat Boat _____ all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 23d day of February last (1845) he, the said Solly ~~sailed and~~ departed in and with the said Flat Boat as Captain thereof from Cincinnati Ohio, having on board the said Flat Boat a cargo of Flour _____ and bound for the Port of New Orleans. _____ that the said Flat Boat _____ was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~victualled~~, manned, ~~victualled victualled~~, apparelled, and appointed; and was in every respect fit for ~~[illegible]~~ the voyage she was about to undertake:

_____ Proceeded down the Ohio River into the Mississippi, and down the Mississippi River as far as Island Number 25, without anything happening worthy particular mention: On Saturday the 8th of March, at about Half past 4 o'clock in the afternoon, and when abreast of said Island No. 25, made all due and proper preparations, and took the usual means of landing, a mooring the Boat for the night, at the Bank

of the River opposite the Island: At said Landing for a long distance down the river, there was a number of Flat Boats also mooring for the night, and we endeavored to moor above them, taking the highest point up stream. There was a heavy current running, and a very strong wind blowing down the Reach between the Island and the main land. ——

—— In getting out the first line for the purpose of fastening to a tree on the river bank, it became fouled in the water, and could not be made effectual for "checking" the down=ward course of the Boat. A second line was im=mediately got out for that purpose, ~~but before it could by any possibility be made fast~~, and made fast, but said line failed in "checking" the Boat. Im=mediately endeavored to row out into the river, in order to clear the other Boats, but was unable to do so by reason of the current and the wind which forced us in, against the Bank. ——

—— We then struck the Boat lying moored next below, very heavily, and one of the corners of said Boat caught us, breaking our gunwale plank below the water & making a large breach in our side. ——

—— Immediately adopted all possible means to bring the Boat to land; which, after much labor we succeeded in doing, and then used our utmost endeavors to land and save the cargo, and employed many extra hands for that purpose. During all this time, the water was running freely into the Boat, and in about fifteen minutes from the time our second line failed, the Boat sunk in from 6 to 12 feet water.

State of Arkansas }
Mississippi County } Be it Remembered that on this 10th day of March A.D 1845 personally appeared before me the undersigned Justice of the peace in and for the afforesaid County Duly commissioned and qualified.
Samuel Lolly Capt Samuel Lolly Charles Mulchean Samuel Lown Daniel Bartley hands all off the Flat Boat. and Being severly sworn made oath that said Flat Boat Left Cincinnatti in the state of Ohio in good order and well condition and found the 23 of Feb. Loaded with Flower and Bound for New orleans louisianna and proceeded safely and without accident upon her said voyage untill she arrived in the shoot of Island no 25 in the state of Arkansas At a bout half past four Oclock P.M. of the 8 of this Inst and while beying to land the said Capt ordered the line taken out in the skiff for the purpos of Landing her to the shore which got foul he then ordered another one taken and it being made fast it parted and a flat Boat being Lost below us landed to the shore the Capt on her had her cable to be loosed and drop her But whilste they was trying to drop the arm Lowrs doped against the arm and the side of lowrs struck the corner of the othe a little aft of the walk plank which stove in her gunnel plank the wind was blowing quartering down the stream a tolerable Lively Brease all excertions was used to keep her off of the said Boat but failed and she sunk by the time we got her made fast to the shore

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New Orleans, LA 70112
FEB 18 2010

she sunk to the ruff in about 15 or 20 minutes.

All exections has been used to save the Boat and cargo so far as it was in their power and as soon as rendering the situation of said Boat secure as possible about 9 o'clock the under signed appeared before the said Justice of the peace in the state and county of aforesaid being the first Majestrate could be obtained where they caused this protested to be entered

Whereupon I the said majestrate at the request of the master and crew of said Flat Boat have protested and by these presents do protest against all persons concerned for all loss cost Damages and average or averages suffered or to be suffered by reason of the stricken and sinking of the said Flat boat

This done and protested upon a flat Boat at the ~~landing~~ of the wreck of said Boat in the state of aforesaid the day and date first above written

In witness whereof I have hereunto set my hand

Jas Young J.P.

S Pally

S F Poly

Samuel Cann

Charles his x mark Pitcheon

David B Wolley

and the said Samuel Jolly _____ further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat _____ or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said _____ Flat Boat _____ or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Samuel Jolly _____ _____ doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Strandings Collisions leaks &c _____

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat _____ or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat _____ the owner or owners of the said Boat _____ or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat _____ or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Captain Samuel Jolly his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Fourth _____ *day of* April _____ *in the year of our Lord one thousand eight hundred and forty-* five *in the presence of* A. Ainsworth *and* William Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

Seventeen words
first erased —

Samuel Jolly

Samuel F. Jolly

A. Ainsworth

William Shannon

R. Stringer
Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fourth day of April in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the Sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Samuel Jolly, Captain of the Flat Boat called the [blank] noted in due form of law with Jas. Young, Justice of the Peace in Miss. County, Ark. on the 10th March, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Samuel Jolly also come Samuel F. Jolly, belonging to the aforesaid Flat Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 23rd day of February last (1845) he, the said Jolly departed in and with the said Flat Boat as Captain thereof from Cincinnati, Ohio, having on board the said Flat Boat a cargo of Flour, and bound for the Port of New Orleans, La. that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Proceeded down the Ohio River into the Mississippi, and down the Mississippi River as far as Island Number 25 without anything happening worthy [of] particular mention: On Saturday the 8th of March, at about half past 4 o'clock in the afternoon, and when abreast of said Island No. 25, made all due and proper preparations, and took the usual means of landing, or mooring the Boat for the night, at the Bank of the River opposite the Island: At said Landing, there was a number of Flat Boats also mooring for the night, and we endeavored to moor above them, taking the highest point up stream. There was a heavy current running, and a very strong wind blowing down the Reach between the Island and the main land.__
>
> In getting out the first line for the purpose of fastening to a tree on the river bank, it became foul in the water, and could not be made effectual for "checking" the downward course of the Boat. A second line was immediately got out for that purpose, and made fast, but said line parted in "checking" the Boat. Immediately endeavored to row out into the river, in order to clear the other Boats, but was unable to do so by reason of the current and the wind which forced us in against the Bank.__
>
> We then struck the Boat lying moored next below, very heavily, and one of the corners of said Boat caught us, breaking our gunwale plank below the water & making a large breach in our side. __
>
> Immediately adopted all possible means to bring the Boat to land; which, after much labor we succeeded in doing, and then used our utmost endeavors to land and save the cargo, and employed many extra hands for that purpose. During all this time, the water was running freely into the Boat, and in about fifteen minutes from the time our second line parted, the Boat sunk in from 6 to 12 feet water,

and the said Samuel Jolly further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be

attributed to any insufficiency of the said Flat Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Samuel Jolly doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, strandings, collisions, leaks &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Captain Samuel Jolly his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Fourth day of April in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

A.C. Ainsworth | Samuel Jolly

William Shannon | Samuel F. Jolly

G.R. Stringer
Notary Public

State of Arkansas }
Mississippi County }

[grammar and spelling corrected throughout]

Be it remembered that on this 10th day of March A.D. 1845 personally appeared before me the undersigned Justice of the Peace in and for the aforesaid county duly commissioned and qualified, etc. – Samuel Jolly Capt., Samuel F. Jolly, Charles Hutchins, Samuel Conn, Daniel Bartley, hands all off the Flat Boat. And being hereby Sworn made oath that said Flat Boat left Cincinnati in the state of Ohio in good order and well condition and found the 23rd of Feb. loaded with Flower [*sic*] and Bound for New Orleans Louisiana and proceeded safely and without accident upon her said voyage until she arrived in the shoot of Island no. 25 in the state of Arkansas. At about half-past Four O'clock P.M. of the 8th of this Inst. and while laying to land the said Capt. Ordered the line taken out in the skiff[?] for the purpose of landing her to the shore which got foul; he then ordered another one taken and it being made fast, it parted and a flat Boat being just below us landed to the shore the Capt. on her had her called to be loosed and drop her. But whilst they was trying to drop thearn [theirs], ours loped against thearn and the side of ours struck the corner of theirs a little aft of the walk plank which stove in her gunnel [gunwale] plank. The wind was blowing quartering down stream a tolerable lively breeze. All exertions was used to keep her off of the said Boat but failed and she sunk by the time we got her made fast to the shore; she sunk to the roof in about 15 or 20 minutes.

All exertions has been used to save the Boat and cargo so far as it was in their power and as soon as rendering the situation of said Boat secure as possible about 9 O'clock the undersigned appeared before the said Justice of the Peace in the State and County aforesaid being the first Magistrate could be obtained where they caused this protest to be entered.

Whereupon the said magistrate at the request of the muster and crew of said Flat Boat have protested and by these presents do protest against all persons concerned for all loss, cost, damages, and average or averages suffered or to be suffered by reason of this striking and sinking of the said Flat Boat.

This done and protested upon a flat Boat at the landing of the wreck[?] of said Boat in the state of aforesaid the day and date first above written.

In witness whereof I have hereunto set my hand.

Jas. Young, J.P.

S. Jolly

S.F. Jolly

Samuel Conn

X Charles Hutchins

Daniel Bartley

No. 146

April 19th 1845

Protest of

Barque Josephine

315

UNITED STATES OF AMERICA,

STATE OF LOUISIANA,

CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on this Eighth day of June in the year of our Lord one thousand eight hundred and forty-five and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the Sixty ninth, BEFORE ME, GREENBURY RIDGELY STRINGER, a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, J. Teal Master of the Bark called the Josephine and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Teal and requires me to extend his Protest, and together with the said Teal Wm. Salsbury Mate Henry Williams 2d Mate also come Edw.d Winnemore Steward and James P. Powell, Mate of the Schr Tomch belonging to the aforesaid Barque all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday 17th March last past he, the said Teal as Master set sail and departed in and with the said Vessel thereof from Philadelphia

having on board the said Vessel a cargo of assorted Merchandise

and bound for the Port of New Orleans. La.

that the said Vessel was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got underway on the day and date above written and proceeded down the river, and on the following Friday 21 March, discharged then Pilot and stood out to Sea, with fresh gale from N. W. — At 3. P. M. Cape Henlopen light bore north by West distant 12 miles, the Vessel under double reefed Topsails, Foresail and

Feb; and the Wind blowing heavily, weather thick and cloudy, and a high Sea running — At 2.30, A. M while proceeding on our regular Course, with our ~~regular~~ usual watch on deck, it being at this time quite dark, the Vessel suddenly came in collision with a Schooner (since ascertained to have been the "Sonic,") striking her so heavily as to cause her to capsize and sink in less than half an hour, after the disaster, having in the meantime succeeded in rescuing the Master, and crew who were taken on board and brot to this port — At the time of her collision the Josephine sprung her Flying Jib Boom, carried away Starboard End of her Fore Yard, Starboard Topmast Studding sail boom, Fore top-gallant yard, head rigging, &c with some other injuries. Continued on our Course from day to day, experience some rough and unpleasant weather, but nothing material occured worthy of particular note from and after the day of her disaster until on Saturday 5th April arrived at the Balize at the Mouth of the Mississippi river, was taken over the bar by Steamer Porpoise, with a Pilot also on board, and proceeded up the river and anchored alongside the Levee at New Orleans Tuesday 8th April

And the aforesaid James P. Powell Mate of the Schooner Yanick for himself states that at the time of the collision as is herein set forth the said Schooner was lying to heading about West by South under her Mainsail double reef it being the Masters watch That there was but one man on duty for a lookout and just previous to the accident this man had been ondeck and had not at the instant of the collision been below over five minutes That the night was dark, and the wind blowing heavily from the northward and the sea running very large —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Collisions

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Nineteenth *day of* April *in the year of our Lord one thousand eight hundred and forty-five in the presence of* A. L. Ainsworth *and* Wm Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

A. L. Ainsworth

Test
Wm H Salsbury

William Shannon

Henry his mark Williams 2d Mate

Edward his mark Vennemore Seaman

James S Dowell mate of Schr Jonich

J. R. Stringer
Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eighth day of April in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared J. Teal, Master of the Bark called the Josephine and noted in due form of law with me, said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Teal and requires me to extend his Protest, and together with the said Teal also come Henry Williams, 2nd master; Wm. Salsbury, mate, belonging to aforesaid Barque and James P. Powell, mate of the Sch. Ionick [*sic* throughout] all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday 17th March last past, he, the said Teal departed in and with the said Vessel as Master thereof from Philadelphia, having on board the said Vessel a cargo of assorted Merchandise, and bound for the Port of New Orleans, La. that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

> Got underway on the day and date above written and proceeded down the river, and on the following Friday 21 March, discharged then Pilot and stood out to sea, with fresh gales from N.W. ~~ At 3 P.M. Cape Henlopen [Delaware] light, bore north by West distant 12 miles, the Vessel under double reefed Topsail, Foresail, and Jib, and the wind blowing heavily, weather thick and cloudy and a high sea running – At 2:30 A.M. while proceeding on our regular course, with our usual watch on deck, it being at this time quite dark, the vessel suddenly came in collision with a schooner (since ascertained to have been the "Ionic") striking her so heavily as to cause her to capsize and sink in less than half an hour after the disaster, having in the meantime succeeded in rescuing the Master and crew who were taken on board and brot [*sic*] to this port~~ At the time of her collision the Josephine sprung her Flying Jib Boom, carried [?] away Starboard End of the Fore Yard, Starboard Topmast shedding sail boom, Fore topgallant yard, head rigging, &c with some other rigging [?] ~ Continued on our course from day to day, experienced some rough and unpleasant weather but nothing material occurred worthy of particular note from and after the day of her disaster and on Saturday 5th April arrived at the Balize at the mouth of the Mississippi river, was taken over the bar by Steamer Porpoise with a Pilot also on board, and proceeded up the river and arrived alongside the Levee at New Orleans Tuesday 8th April ~~
>
> [316] And the aforesaid James P. Powell master of the Schooner Ionick for himself states that at the time of the collision as is herein set forth the said Schooner was laying to heading about West by South under her Mainsail double reef'd, it being the Master's watch that there was but one man on duty for a lookout and just previous to the accident this man had been on deck and had not at the instant of the collision been below over five minutes, that the night was dark, and the wind blowing heavily from the northward and the sea running very large,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been

occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Collision, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this nineteenth day of April in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and Wm. Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

A.C. Ainsworth

William Shannon

J. Teal

W. H. Salsbury

X Henry Williams 2nd Mate

X Edward Winnemore, seaman

James P. Powell, mate of the Sch. Ionick

G.R. Stringer
Notary Public

No. 191
May 13th 1845
Protest of
Flat Boat
Mary Bell

431

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on this Thirteenth day of May in the year of our Lord one thousand eight hundred and forty-five and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the Sixty ninth BEFORE ME, GREENBURY RIDGELY STRINGER, a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, Uriah Phifer Master of the Flat Boat called the Mary Bell and noted in due form of law with ~~me~~ said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Phifer also come Francis Lawhon, and Daniel B. Hamiff, hands on board and belonging to the aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that in the month of March, (day unknown) he, the said Phifer ~~set sail~~ and departed in and with the said Boat as Master thereof from Bainbridge, foot of Muscle Shoal on the Tennessee River, having on board the said Boat a cargo of Corn.

and bound for the Port of New Orleans. La that the said Boat was then stout, stanch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the and~~ the voyage she was about to undertake:

Got underway and proceeded down the Tennessee river into the Ohio and thence into the Mississippi with nothing material occurring worthy of note until Tuesday 22 April last past when about forty miles below Memphis at the head of Counsel Bend, where having moored the boat for the night, ~~and~~ experienced a very sudden hurricane which came on at

about 11 O'clock P.M. causing the boat to sink almost immediately, and the Cargo became a total loss — and the said appear further declare that the time of the disaster, they saw no sign or a intimation of the coming storm, and to prevent the other boat attached, from sinking they deemed it necessary to cut the Mary Bell adrift by which means she floated down the river and was seen two days after by these deponents, with Cargo entirely gone, and no trace of any having been saved —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Tornadoes

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Uriah Shifer his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Thirteenth *day of* May *in the year of our Lord one thousand eight hundred and forty-*five *in the presence of* A. C. Amsworth *and* Wm Shannon *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

A. Amsworth

Uriah Shifer

D. B. Hamill

Francis his X mark Sawhon

William Shannon

G. Rey Stringer
Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Thirteenth day of May in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the sixty-ninth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Uriah Phifer, Master of the Flat Boat called the Mary Bell and noted in due form of law with me, said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Phifer also come Francis Lawhon, and Daniel B. Hamill, hands on board and belonging to aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that in the month of March, (day unknown), he, the said Phifer departed in and with the said Boat as Master thereof from Bainbridge, foot of Muscle Shoal on the Tennessee River, having on board the said Boat a cargo of corn, and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got underway and proceeded down the Tennessee river into the Ohio and thence into the Mississippi with nothing material occurring worthy of note until Tuesday 22 April last past when about forty miles below Memphis at the head of Counsel Bend, where having moored the boat for the night, experienced a very sudden hurricane which came on at about 11 O'clock P.M. causing the boat to sink almost immediately, and the Cargo became a total loss— and the said appearers further declare that [at] the time of the disaster, they saw no sign or an intimation of the coming storm, and to prevent the other boat attached from sinking they deemed it necessary to cut the Mary Bell adrift by which means she floated down the river and was seen two days after by these deponents, with Cargo entirely gone, and no trace of any having been saved—

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Tornadoes &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Uriah Phifer his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this thirteenth day of May in the year of our Lord one thousand eight hundred and forty-five in the presence of A.C. Ainsworth and Wm. Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

A.C. Ainsworth

Uriah Phifer

William Shannon

D.B. Hamill

X Francis Lawhon

G.R. Stringer
Notary Public

No. 392

Recd. 26th 1845

Protest of

Flat Boat

Mount Ida

425

UNITED STATES OF AMERICA,

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twenty sixth day of November in the year of our Lord one thousand eight hundred and forty-five and of the Independence of the United States of America the Seventieth

Before Me, [illegible] Judge Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans**, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Martin Turner, Master of the Flat Boat called the "Mount Ida", and declared, that on the 19th instant, he was noted in due form of law with N. J. Caughlin, Not Public, at the Town of Napoleon, Desha Co. Arkansas, his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Martin Turner and requires me to extend his Protest, and together with the said Martin, also come William Lewis, William Ritter and Lewis Brown, hands employed on, and belonging to the aforesaid Flat Boat, all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday, the first day of October last past, he, the said Turner departed in and with the said Flat Boat, as Master thereof, from Quincy, in the State of Illinois, having on board the said Flat Boat a cargo of 450 bbls of Flour, and 250 sacks of shorts and bound for the Port of New Orleans that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well [redacted], manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for [redacted] the voyage she was about to undertake:

Got underway on the day and date above written, and proceeded down the Mississippi River with nothing occurring worthy particular mention, or notice, until Friday the fourteenth of November following: When, at, or near the Island of Saint Francis in the Mississippi River, floating down, the Boat suddenly struck a hidden substance, believed to be a "Snag", and ran over it: causing her to leak badly: Employed all hands at the Pumps to keep her free, and after much arduous exertion, succeeded in freeing the Boat, and in partly stopping the leaks:

Afterwards, proceeded on our course, the hands

being employed in pumping, as occasion required, until the Seventeenth of November, when, about Seven Miles below the Town of Napoleon, Arkansas, at One o'clock P. M. experienced quite a heavy blow of Wind: And as the Boat she continued leaky, and the crew were much exhausted by excessive labor in pumping, the Master deemed it prudent, and necessary for general preservation, to make for the shore: which was accordingly done; and the Boat safely moored at the Bank of the River: where, shortly after, the Steamer Memphis, and then the Steamer Maria, in passing down the Mississippi River, came very near the said Flat Boat "Mr Zoa" emitting a heavy swell, which made her leak more freely, and the Master found her to be in a sinking condition: _____

_____ Immediately after, made all exertions in their power to save and secure property, commenced unloading Cargo, and succeeded in saving One Hundred, Seventy five Barrels of Flour and about One Hundred Sacks of shorts: after which, the "Mount Zoa" struck: But by much exertion, we succeeded in saving for addition to the above, about One Hundred, Thirty One Barrels of Flour, in a damaged state: _____

_____ When, the Master finding that the Boat was a complete wreck, and that the cost of attempting to save the Balance of Cargo would be more than its value, deemed it necessary to leave the wreck, and the remaining Cargo, on board: _____

_____ Which was accordingly done, and the

Hundred and Twelve Barrels of Flour were sold at the rate of one dollar per Barrel;

The balance of the Cargo is declared lost by drifting out of the wreck say about 32 Hds of after the Boat sunk.

That part of the Cargo saved was immediately reshipped on board the Boat called Steamer "Arkansas No 4" and arrived at the Port of New Orleans, without further accident.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Flat Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Seas~~,** Snags. Leaks &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Flat Boat the owner or owners of the said Flat Boat or the owners, froighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter may sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Mr Turner, his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Twenty Sixth day of November in the year of our Lord one thousand eight hundred and forty five in the presence of William Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

Martin Turner

W. Gardiner

W. William Lemo

William Keller

Louis Brown

R. Strong
Notary

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-sixth day of November in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Martin Turner, Master of the Flat Boat called the "Mount Ida", and declared that on the 19th instant he noted in due form of law with H.S. Edington, Notary Public at the town of Napoleon, Desha Co., Arkansas, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Martin Turner and requires me to extend his Protest, and together with the said Master also come William Lewis, William Kelter and Lewis [*sic*] Brown, hands employed on, and belonging to aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday the first day of October last past, he, the said Turner departed in and with the said Flat Boat as Master thereof from Quincey, in the State of Illinois, having on board the said Flat Boat a cargo of Barrels of Flour and 280 sacks of "shorts", and bound for the Port of New Orleans, La. that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got underway on the day and date above written and proceeded down the Mississippi River with nothing occurring worthy [of] particular mention or notice until Friday the fourteenth of November following: When, at or near the Island of Saint Francis in the Mississippi River, floating down, the Boat suddenly struck a hidden substance /believed to be a "snag"/ and ran over it, causing her to leak badly. Employed all hands at the pump to keep her free, and after much arduous exertion, succeeded in freeing the Boat, and in partly stopping the leaks: __ Afterwards, proceeded on our course, the hands being employed in pumping as occasion required, until the Seventeenth of November, when about seven miles below the Town of Napoleon, Arkansas, at One o'clk P.M. experienced quite a heavy blow of wind: And as the Boat still continued leaky, and the crew were much exhausted by excessive labor in pumping, the Master deemed it prudent, and necessary for general preservation, to make for the shore: Which was accordingly done, and the Boat properly secured at the Bank of the River: where, shortly after, the steamer Memphis, and then the steamer Maria, in passing down the Mississippi River, came very near the said Flat Boat "Mt. Ida" causing a heavy swell, which made her leak more freely, and the Master found her to be in a sinking condition:__
>
> Immediately after, made all exertions in their power to save and secure property, commenced unloading Cargo, and succeeded in saving One Hundred, Seventy-five Barrels of Flour and about One Hundred sacks of shorts: After which, the "Mount Ida" sunk: But by much exertion, we succeeded in saving /in addition to the above/ about One Hundred, Thirty-one Barrels of Flour in a damaged state:__
>
> When the Master finding that the Boat was a complete wreck, and that the cost of attempting to save the Balance of Cargo would be more than its value, deemed it necessary to sell the wreck, and the remaining Cargo on board:__

Which was accordingly done, and One [426] Hundred and Twelve Barrels of Flour were sold at the rate of One dollar per Barrel. The balance of the Cargo is declared lost by drifting out of the wreck /say about 32 bbls./ after the Boat Sunk:___

That part of the Cargo saved was immediately reshipped on board the Boat called Steamer "Arkansas No. 4" and arrived at the Port of New Orleans, without further accident,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Flat Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Flat Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Snags, Leaks &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Flat Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Flat Boat the owner or owners of the said Flat Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Flat Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said M. Turner his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this twenty-sixth day of November in the year of our Lord one thousand eight hundred and forty-five in the presence of Wm. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

James Gardiner

Martin Turner

M. William Lewis

William Kelter

Louis Brown

G.R. Stringer
Notary Public

No. 109

December 31st 1845

Protest of

Flat Boat

535

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Thirty first day of December in the year of our Lord one thousand eight hundred and forty-five and of the Independence of the United States of America, the seventieth

Before Me, Trenbury Ridgly Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** James Lynch Master of the Flat Boat called the and declared that on ~~last~~ the Seventeenth day of December last he noted in due form of law with Abner Davis Justice of Peace for Union County, State of Kentucky his **PROTEST,** for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said James Lynch and requires me to extend his Protest, and together with the said Lynch also come, Michael Redmond and John Wade hands

belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday the 28th day of October last past he, the said Lynch departed in and with the said Flat Boat as Master thereof from Cincinnati, Ohio,

having on board the said Flat a cargo of Oil Cake

and bound for the Port of New Orleans La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

Got underway on the day and date above written and proceeded down the Ohio River with nothing very material occurring worthy of particular Note until we arrived at the Falls near Louisville where we were compelled to remain nearly four weeks in consequence of the low state of water which prevented the boats going safely over The River having commenced rising proceeded in getting over the Falls and proceeded down the Ohio until the 16th December when having arrived at the foot of Shim Island about 15 miles above

Shawneetown, Union County, Kentucky, and while proceeding on their passage, being near the middle of the River, the Flat Boat suddenly struck the bottom, and immediately after the boat sunk in consequence of the large quantity of Ice running which came with great force against the boat and cut the entire Stern out of her, by reason of which disaster the Boat and Cargo were totaly lost — And these said appears further declare that it was less than five minutes after the accident, before the entire property had disappeared, rendering all attempts to save any property entirely useless, the Master not having saved his Watch, or Clothing, which were lost with all other materials on board,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Rivers, Shoals, Bars, Ice &c**

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said James Lynch his officers or crew.

THUS DONE AND PROTESTED, at my office in the City of NEW ORLEANS, this Thirty first day of December in the year of our Lord one thousand eight hundred and forty-five in the presence of James Gardener and Wm Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

James Gardener

his
James X Lynch
mark

Michael Redmond

John Ward

R. Stringer
Notary Public

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Thirty-first day of December in the year of our Lord one thousand eight hundred and forty-five, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared James Lynch, Master of the Flat Boat called the [blank] and declared that on the 17th day of December last he noted in due form of law with Abner David, Justice of Peace for Union County, State of Kentucky, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said James Lynch and requires me to extend his Protest, and together with the said Lynch also come Michael Redmond and John Ward, hands, belonging to aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday 28th day of October last past, he, the said Lynch departed in and with the said Flat Boat as Master thereof from Cincinnati, Ohio, having on board the said Flat a cargo of oil cake, and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got underway on the day and date above written and proceeded down the Ohio River with nothing very material occurring worthy of particular note until we arrived at the Falls near Louisville where we were compelled to remain nearly four weeks in consequence of the low state of water which prevented the boats going safely over~~ The River having commenced rising, succeeded in getting over the Falls and proceeded down the Ohio until the 16th December when having arrived at the foot of Slim Island about 15 miles above Shawneetown, Union County, Kentucky, and while proceeding on the passage, being near the middle of the river, the Flat Boat suddenly took the bottom and immediately after, the boat sunk in consequence of the large quantity of Ice running which came with great force against the boat and cut the entire stern out of her, by reason of which disaster the Boat and Cargo were totally lost~~ And these said appearers further declare that it was less than five minutes after the accident before the entire property had disappeared, rendering all attempts to save any property entirely useless, the master not having saved his watch, or clothing, which were lost with all other materials on board,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, shoals, bars, ice &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the

insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said James Lynch his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Sixteenth day of January in the year of our Lord one thousand eight hundred and forty-five in the presence of James Gardiner and Wm. Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon	X	James Lynch
James Gardiner		Michael Redmond
		John Ward

G.R. Stringer
Notary Public

No. 15

Jan. 16th 1846

Protest

of

Schooner "Magnet"

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

29

By this Public Instrument of Protest,

BE IT KNOWN, That on the Sixteenth day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Thomas F. Burgess master of the Schooner called the Magnet of Duxbury, Mass., who declares that on the 27 day of December last past he noted in due form of law with William J. Browning, Notary Public residing at Corpus Christi, Texas his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Thomas F. Burgess and requires me to extend his Protest, and together with the said Burgess also come

Ephraim C. Burgess, Mate, and Charles C. Hamlen, Seaman,

belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Sunday 14th day of December 1845

he, the said Burgess departed in and with the said Schooner Magnet as master thereof from New Orleans

having on board the said vessel a cargo of merchandize

and bound for the Port of Aransas, Texas

that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Proceeded down the Mississippi River in tow of Steamer Somerville on the above named day and date, weather pleasant, and on the following day Wednesday 17th December arrived near the S.W. Pass and being calm, came to Anchor, and remained until 3 P.M. when we weighed Anchor, made sail, passed over the Bar, and stood out to sea — At 11 P.M. S.W. Pass light bore E by N distance 3 leagues.

On Thursday 18th commenced pleasant weather — Wind S.E. & E.N.E. — Friday much the same — On Saturday 20th Dec. Had wind from S.E. & W. and pleasant

weather and light breezes from Eastward - At 10 A.M. made St. Joseph's Island bearing West distant three leagues - ran down for Atchafalaya Pass and at 5 P.M. Pilot came on board, took charge of the Schooner, and ran down within about one mile of the Pass, when the wind suddenly died away, and the weather became very calm, leaving a tremendous heavy high sea running, which compelled them to anchor for general safety which was accordingly done to prevent the vessel going on shore, there being no wind at the time to keep her away - Let go the sheet anchor, and about 70 fathoms chain, and got the small anchor ready on the Bow, the sea at this time making a complete breach over the vessel, also labouring, straining and rolling tremendously continued the same until past midnight, when the chain suddenly parted in consequence of the heavy pitching and rolling of the Schooner - Immediately endeavoured to let go the other Anchor & chain, but before it could be done, the vessel fell off into the trough of the sea, which was breaking over her with great violence, carrying away the stern boat, leaving stern posts alongside and immediately after she struck heavily on the Bar and soon after bilged - tried the Pumps and found over three feet water in her hold, vessel leaking badly. After remaining a short time on the bar, she was driven over on to the shore distance about 100 yards from the beach, where she remains a complete wreck

having filled entirely with water. The master contrived to gain the shore on a waggon and having procured assistance commenced saving materials belonging to the vessel and part of cargo - And these said appear-ers further declare that at the time said vessel met with her disaster there was not any wind stirring to enable the Pilot to keep the vessel from going ashore after she parted her chains.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Strandings, total loss

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Thomas E. Burgess his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Sixteenth day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

Thos E. Burgess

Ephraim C. Burgess

Charles C. Hamlen

J. W. Gardiner

R. Stimson

Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Sixteenth day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Thomas F. Burgess, Master of the Schooner called the Magnet of Duxburg, Mass., who declared that on the 27th day of December last past he noted in due form of law with William J. Downing, Notary Public residing at Corpus Christi, Texas, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Thomas F. Burgess and requires me to extend his Protest, and together with the said Burgess also come Ephraim C. Burgess, mate, and Charles C. Hamlen, Seaman, belonging to aforesaid schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday 16th day of December 1845, he, the said Burgess departed in and with the said Schooner Magnet as Master thereof from New Orleans, having on board the said vessel a cargo of merchandise, and bound for the Port of Aransas, Texas— that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

> Proceeded down the Mississippi River in tow of Steamer Somerville on the above named day and date, weather pleasant, and on the following day Wednesday 17th December arrived near the S.W. Pass, and being calm, came to anchor, and remained until 3 P.M. when we weighed anchor, made sail, passed over the Bar, and stood out to sea ~ At 11 P.M. S.W. Pass light bore E by N, distance 3 leagues. – On Thursday 15th commenced pleasant weather – wind at N.W – Friday much the same – On Saturday 20th Dec., Had wind from N.N.W., and pleasant weather and light breezes from Eastward – At 10 A.M. made St. Josephs Island bearing west distant three leagues – run [*sic*] down for Aransas Pass and at 5 P.M. Pilot came on board, took charge of the Schooner, and ran down within about one mile of the Pass, when the wind suddenly died away and the weather became very calm, leaving a tremendous heavy high sea running, which compelled them to anchor for general safety which was accordingly done to prevent the vessel going on shore, there being no wind at the time to keep her away – Let go the sheet anchor, and about 70 fathoms chain, and got the small anchor ready on the Bow, the sea at this time making a complete breach over the vessel, also laboring, straining and rolling tremendously, continued the same until past midnight, when the chain suddenly parted in consequence of the heavy pitching and rolling of the Schooner – Immediately endeavored to let go the other anchor & chain, but before it could be done, the vessel fell off into the trough of the sea, which was breaking over her with great violence, carrying away the stern boat, leaving stern posts alongside and immediately after she struck heavily on the Bar and soon after bilged –tried the Pumps and found over three feet water in her hold, vessel leaking badly. After remaining a short time on the bar, she was driven over on to the shore distance about 100 yards from the beach, where she remains a complete wreck [30] having filled entirely with water. The Master continued to gain the shore on a wagon and having procured assistance commenced saving materials belonging to the vessel and part of Cargo – And these said appearers further declare that at the time said vessel met with her disaster there was not any wind stirring to enable the Pilot to keep the vessel from going ashore after she parted her chains,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, strandings, total loss and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Thomas F. Burgess his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Sixteenth day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

James Gardiner

Tho. F. Burgess

Ephraim C. Burgess

Charles C. Hamlen

G.R. Stringer
Notary Public

No. 16
Ly 21 1846
Protest of
Flat Boat No 2

31

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Sixteenth day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Thomas White, Master of the Flat Boat called the No. Two marked S. B. and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Thomas White and requires me to extend his Protest, and together with the said White also comes

Peter Franklin Green, a hand remaining and,

belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday the 8th day of November last past,

he, the said Thomas White departed in and with the said Boat as Master thereof from Rickman, Kentucky

having on board the said Boat a cargo of Staves,

and bound for the Port of New Orleans, La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got underway on the day and date above written and proceeded down the Mississippi River with nothing very material occurring worthy of particular note until we arrived at the Lower Flat boat landing in the Third Municipality New Orleans, where we made fast and secured the Boat on Saturday Evening 17th January following - remained at the Levee until Monday morning 21st inst, when they made preparation and commenced discharging cargo, but in consequence of the severity of the gale

it having commenced blowing tremendously with heavy rain, storm, they were compelled to quit discharging after unloading about One thousand Staves, and soon after while endeavoring to protect the boat, in her perilous situation she sprung a leak from consequence of a tremendous heavy swell which caused the Flat Boat to labor and strain heavily, and sunk entirely under water, when part of her Cargo floated off and down the river, a portion of which has been picked up and the balance lost - The gale having since abated, every exertion has been made to save property, and have succeeded in saving part of her Cargo in a damaged condition. —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Seas~~,** River Leak &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Thomas White his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this twentieth day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

Wm Gardner

Thomas White

Doctor J. Green

J. R. Thomas
Notary Public

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Nineteenth day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Thomas White, Master of the Flat Boat called the No. "Two" marked S.B. and noted in due form of law with me said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Thomas White and requires me to extend his Protest, and together with the said White also come Doctor Franklin Green, a hand remaining and belonging to aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday the 8th day of November last past, he, the said Thomas White departed in and with the said Boat as Master thereof from Rickman, Kentucky, having on board the said Boat a cargo of Staves, and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got underway on the day and date above written and proceeded down the Mississippi River with nothing very material occurring worthy of particular note until we arrived at the Lower Flat boat landing in the Third Municipality New Orleans where we made fast and secured the boat on Saturday evening 17th January following – remained at the levee until Monday morning 21st inst., when they made preparation and commenced discharging Cargo, but in consequence of the severity of the gale, it having commenced blowing tremendously with heavy rain storm, they were compelled to quit discharging after unloading about one thousand staves, and soon after while endeavoring to protect the boat, in her perilous situation she sprung a leak/ in consequence of a tremendous heavy swell which caused the Flat Boat to labor and strain heavily/ and sunk entirely under water, when part of her Cargo floated off and down the river, a portion of which has been picked up and the balance lost – The gale having since abated, every exertion has been made to save property, and have succeeded in saving part of her Cargo in a damaged condition –

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Rivers, leaks &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make

contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Thomas White his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twentieth day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon | Thomas White

James Gardiner | Doctor F. Green

G.R. Stringer
Notary Public

L.R.
Jan 22d 1846
Protest of
S.B. Nebraska

35

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the twenty first day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the seventieth

Before Me, Greenberry Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of New Orleans, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** William W. Dodge master of the steam boat called the Nebraska belonging to St. Louis, etc. and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said W.W. Dodge and requires me to extend his Protest, and together with the said Dodge also come

William C. Jewett, clerk, Benjamin T. Medley & John B Kelp, hands

belonging to the aforesaid Steamer all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Thursday 8th January last

he, the said Dodge departed in and with the said Steamer as master thereof from St. Louis, Mo.

having on board the said Boat a cargo of Merchandize

and bound for the Port of New Orleans, La.

that the said Steamer was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~masted~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~said~~ the voyage she was about to undertake:

Proceeded down the Mississippi River on the day and date above mentioned, with nothing ~~material~~ occurring worthy of particular notice, until Wednesday following 14th January at about one o'clock P.M. when they arrived at Diamond Island about twenty miles below Vicksburg, made preparation, and rounded to, in order to wood, and while making for the Bank, the boat flanked and suddenly struck some hidden substance supposed to be a snag, but not appreciating any injury, the boat being very strong and

entirely new, commenced taking in fuel, but soon after ascertained that the Steamer was leaking very freely, manned the Pumps and endeavored by every exertion in their power to find the leak, but were unable to stop it, as the water came in so rapidly. Immediately cast off, and for general preservation the Master found it absolutely necessary to put the boat ashore, - and accordingly, ran her across the River and put her Bow ashore on a Bar opposite Diamond's Island where she remained fast, and immediately after she commenced filling and her stern sunk in ten feet water. Got Sparsh and put about her stern and sides to keep her from listing over, afterwards proceeded for extra assistance, procured a flat Boat & commenced moving Cargo from the Nebraska onto the Bar, afterwhich sent to Vicksburg and on the following morning Thursday 15th the Steamer Meteor and crew came alongside, and commenced taking out Cargo, and having saved all that could be got at, Examination was made and the boat found to be in such a wrecked condition, and the water at the sametime rising rapidly, that any attempt to save her would be a useless expense, and the Captain immediately took vigorous measures to save materials - succeeded in getting out most of her machinery and some Cabin Furniture, Fixtures &c, afterwhich left part of crew on board to save more property if possible, and left boat proceeded with the Cargo saved to Vicksburg

in the Letter and shipped the same per Steamer Westwood to New Orleans, where it arrived without further disaster or delay.

36

We the undersigned officers of the Sh^p Nebraska on her downward trip from St Louis to New Orleans make the following Statement of the sinking of said Boat on the 14th day of January 1846 at about half past 10 o'clk P.M. of said day in rounding to for wood about twenty miles below Vicksburg the Boat flanked in towards the Bank and struck a snag or log under water in landing along side of a wood flat, we found she was filling with water, and immediately — Cut off and run her on a Bar on the opposite side of the river, we run her aground on five feet water at the Bow, and about 10 feet at the — Stern. We further state that all of the officers of the Boat were at their several posts of duty at the time of said accident, and we hereby solemnly protest against any and — all liabilities of said officers or owners of said Boat on account of said accident to said Boat or Cargo. — Given under our hand and seal this 14th Day of January 1846. —

Capt W. M. Darby
Clerk Wm C. Sewell
Pilot N. C. Covington
Pilot of Transom
Mate Nathan P. Hubbard
Engineer 1st L. Powell
Engineer 2nd M. Hartwig
Carpenter Pell Connegys

A-36

State of Mississippi —

Personally appeared before me the following persons — W. W. Dodge — Appl. Jewett — T. C. Chaffey — A. Minor — Nathan P. Hubbard — H. Hastings — P. M. Conger — C. H. L. Dubuisson Judge of the Probate Court of Adams County and made solemn oath that the facts stated in the foregoing affidavits are true in substance and in fact

State of Mississippi
Warren County } Personally appeared before the undersigned Judge of the Probate court of Adams county W. W. Dodge, W. L. Scott, M. C. Cornstein, A. Minor, Nathan P. Hubbard, L. Newell, H. Hastings, P. M. Congers — who being duly sworn made oath that the facts set forth in the foregoing affidavit are true

Sworn to and subscribed before me Dec 14th 1846 AD.

C. H. L. Dubuisson
Judge Probate
Adams County

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** ~~Seas,~~ Rivers, Snags &

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said A. W. Dodge, his officers or crew.

THUS DONE AND PROTESTED, at my office in the City of NEW ORLEANS, this Twenty second day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon
Jas Gardiner

W. W. Dodge

Wm C. Jewett
his Clk

Benj F. Medley
mark

John B. Kerr

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-first day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared William W. Dodge, Master of the Steam boat called the Nebraska belonging to St. Louis, Mo. and noted in due form of law with me said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said W.W. Dodge and requires me to extend his Protest, and together with the said Dodge also come William C. Jewett, Clerk; Benjamin J. Medley & John B. Kolf [?], belonging to the aforesaid Steamer: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Thursday 8th January inst. he, the said Dodge departed in and with the said Steamer as Master thereof from St. Louis, Mo., having on board the said Boat a cargo of Merchandise, and bound for the Port of New Orleans, La. that the said Steamer was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Proceeded down the Mississippi River on the day and date above mentioned, with nothing material occurring worthy of particular notice, until Wednesday following the 14th January at about one O'clock P.M. when they arrived at Diamond Island about twenty miles below Vicksburg, made preparation, and rounded to in order to [take?] wood, and while making for the bank, the boat flanked and suddenly struck some hidden substance supposed to be a snag, but not apprehending any injury, the boat being very strong and entirely new, commenced taking in fuel, but soon after ascertained that the Steamer was leaking very freely, manned the pumps and endeavored by every exertion in their power to find the leak, but were unable to stop it, as the water came in so rapidly. Immediately cast off, and for general preservation the Master found it absolutely necessary to put the boat ashore, and accordingly ran her across the River and put her bow ashore on a Bar opposite Diamond's Island where she remained fast, and immediately after she commenced filling and her stern sank in ten feet water. Got opposite [?] and put about her stern and sides to keep her from listing over, afterwards proceeded for extra assistance, procured a flat Boat & commenced moving Cargo from the Nebraska on to the Bar, after which sent to Vicksburg and on the following morning Thursday 15th the Steamer Meteor and crew came alongside, and commenced taking out Cargo and having saved all that could be got at. Examination was made and the boat found to be in such a wrecked condition /and the water at the same time rising rapidly/ that any attempt to save her would be a useless expense, and the Captain immediately took vigorous measures to save materials – succeeded in getting out most of her machinery and some cabin furniture, fixtures, &c, after which left part of crew on board to save more property if possible, and Capt. Dodge proceeded with the Cargo saved to Vicksburg [36] in the Meteor and shipped the same per Steamer Westwood to New Orleans, where it reached without further disaster or delay –

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be

attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Rivers, snags &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said W. Dodge his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-second day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon	W.W. Dodge
James Gardiner	Wm. C. Jewett, clk.
	X Benj. T Medley, hand
	John B. Kolf [?]

G.R. Stringer
Notary Public

We the undersigned officers of the Stbt. Nebraska on her downward trip from St. Louis to New Orleans made the following statement of the sinking of said Boat on the 14th day of January 1846 at about half past 1 O'clk. P.M. of said day, in rounding to for wood about twenty miles below Vicksburg, the Boat flanked in towards the Bank and struck a snag or log under water in landing along side of a wood flat; we found she was filling with water, and immediately Cast off and ran her on a Bar on the opposite side of the river, we ran her aground on five [feet] water at the Bow, and about 10 feet at the stern. We further state that all of the officers of the Boat were at their several posts of duty at the time of said accident, and we hereby solemnly protest against any and all liabilities of said officers or hands of said Boat on account of said accident to Sd. Boat or Cargo.

Given under our hands and seal this 14th day of January 1846 –

Capt. W.W. Dodge (seal)	Engineer 1st L. Newell
Clerk Wm. C. Jewett (seal)	Engineer 2nd W. Hartwig

Pilot N.C. Covington (seal) Carpenter P.M. Comegys
Pilot A. Marion

Mate Nathan P. Hubbard

A-36

State of Mississippi }
Warren County }

Personally appeared before me the undersigned Judge of the Probate court of Warren County W.W. Dodge, W.C. Jewett, N.C. Covington, A. Marion, Nathan P. Hubbard, L. Newell, H. Hartwig, & P.M. Conyess [*sic*] ~~~ who being hereby sworn under oath that the facts set within this processury, __?, and __? are true.

Sworn to and subscribed before me, Jan. 14th 1846 A.D.

C.A. Lecelieu [?]
Judge Probate
Warren County

No. 22

Ly 23d 1846

Extract of

Flat Boat No. 4

43

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twenty third day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** William A. Thomas, master of the Flat Boat called the Number "Four" who declares that on the 29th December last past, he noted in due form of law with John O. Shroyer, notary public in Hardin County, Kentucky his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said W. A. Thomas and requires me to extend his Protest, and together with the said Thomas also come J. McElroy & William Maxwell ~~John E. Thomson, Brock~~ hands

belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday the 24th day of November last past,

he, the said W. A. Thomas departed in and with the said Flat Boat as Master thereof from Cincinnati, Ohio,

having on board the said Boat a cargo of Flour

and bound for the Port of New Orleans, La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~mastered~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~sea~~ ~~port~~ the voyage she was about to undertake:

Left port on the day and date before mentioned, and proceeded down the Ohio River with nothing very material occuring worthy of particular note until about the third day of December following, when finding the Ice had commenced running very freely, the Master deemed it prudent for general preservation &c, to run into the mouth of the Kentucky River, where he laid up, being detained by the about fifteen days afterwhich the river being nearly free of obstructions, he again proceeded on his passage, 17th December, down the Ohio river fifty miles

further and arrived to within three miles of the Falls, when he encountered large masses of Ice, which compelled Capt Thomas to again put to the shore, where he made fast, and remained one week longer, at which time the Ice gorged, stopping up the whole Channel, extending entirely across the River, and kept accumulating back until it suddenly reached where the Flat Boat No 4 was secured at about 9 o'clock P.M. of the 26th December crushing the boat badly, causing her to sink in less than fifteen minutes after the disaster - Immediately made every exertion in their power to save property, hired extra hands and commenced getting the Flour on shore, - succeeded in landing the principal part of her Lading, all more or less in a damaged condition - Having saved all within their power the Master after waiting some time for an opportunity the river not being open, reshipped the property saved, soon as possible on board Steamer Belle and proceeded with the same to its port of destination, all of which has been received by the Consignee, without further delay or disaster —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Seas~~,** River, &c. &c. &c.

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said W. A. Thomas his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Twenty third day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

J. Gardiner

W. A. Thomas

J. C. M. Elam

J. R. Stringer

Notary Public

William Thomas

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-third day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared William A. Thomas, Master of the Flat Boat called the Number "Four" and declared that on the 29th day of December last past he~~ noted in due form of law with John A. Shryer, Notary in and for Clark County, Indiana, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said W.A. Thomas and requires me to extend his Protest, and together with the said Thomas also come J.W. Elroy & William Maxwell, hands, belonging to the aforesaid Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday the 24th day of November last past, he, the said W.A. Thomas set sail and departed in and with the said Flat Boat as Master thereof from Cincinnati, Ohio, having on board the said Boat a cargo of Flour, and bound for the Port of New Orleans, that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Left port on the day and date before mentioned, and proceeded down the Ohio River with nothing very material occurring worthy of particular note until about the third day of December following when finding the ice had commenced running very freely, the Master deemed it prudent for general preservation to run into the mouth of the Kentucky River, where he laid up; being detained by Ice about fifteen days after which the river being nearly free of obstruction, he again proceeded on his voyage/ 17th December/ down the Ohio river fifty miles further and arrived to within three miles of the Falls, when he encountered large masses of Ice, which compelled Capt. Thomas to again put to the shore, where he made fast, and remained one week longer, at which time the Ice gorged, stopping up the whole channel, extending entirely across until it suddenly reached where the Flat Boat No. 4 was secured, at about 9 O'clock P.M. of 26th December, crushing the boat badly, casing her to sink in less than fifteen minutes after the disaster – Immediately made every exertion in their power to save property, hired extra hands and commenced getting the Flour on shore – succeeded in landing the principal part of her Lading, all more or less in a damaged condition. Having saved all within their power the Master after waiting some time for an opportunity, the river not being open, reshipped the property saved soon as possible on board Steamer Ohio Belle and proceeded with the same to its port of destination, all of which has been received by consigner, without further delay or disaster –

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Rivers, Ice, leaks &c and

against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said W.A. Thomas his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-third day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

W.A. Thomas

James Gardiner

G. McElroy

William Maxwell

G.R. Stringer
Notary Public

No. 24
Jany 24th 1846
Protest of
Flat Boat
No 2.

47

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twenty fourth day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Henry W. Brown, Master of the Flat Boat called the No. 2 and declared that on the 5th day of December last past he was noted in due form of law with Hugh McCornell, notary in and for Gallatin County, Illinois his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said H. W. Brown and requires me to extend his Protest, and together with the said Brown also come

belonging to the aforesaid Flat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 11th day of November 1845

he, the said Sto Master departed in and with the said Flat Boat as Master thereof from Cincinnati, Ohio -

having on board the said Boat a cargo of Flour

and bound for the Port of New Orleans, La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

Departed from port on the date above written and proceeded down the Ohio river until he arrived at Jeffersonville where he was detained about one week in consequence of the low stage of water, afterwhich proceeded on with nothing further occurring worthy of particular note until 27th November following, when the wind blew tremendously from the North, attended with very cold weather, and the Boat was suddenly stranded on the side of what is called Battery Rock Bar - Immediately cast over Anchor

but she commenced dragging it, forcing the boat into shoal water where she remained fast in about forty inches of water — The Master immediately made all necessary preparation in his power to protect property, procured a lighter with extra hands, and succeeded in getting out part of her lading; when on the morning of the 2d December, the Ice commenced running in large masses, and by 10 o'clock that morning, the Boats side was cut in several places, and the boat commenced leaking very badly. Made all exertion to get at the leaks and stop them, to prevent her sinking but soon after a second run of Ice came along cutting her down instantly, causing her to sink immediately so that over two tiers of flour remained under water, part of which has since been saved by much exertion all more or less in a damaged condition. _____

Battery Rock. Dec 5th 1845

This day personly appeard Capt. Henry W Brown Two gether with his flat Boat crew and sais he Left Cincinnati on the Evening of the Eleventh November 1845 with a flatt Boat Belonging two potts & davis is not Recolected Lode with something over Thirten Hundred Barels of Flour Shiping mark J.C.H & C Bound for the port of New Orleans. That he proced on the sad voyage two Jeffeson vill where he wa detaind sitt or seven days for Low water from thence he proceded on the above voyag with full Crew and competantly Riged for the above voyage in every respect Nothing acuring till on the Evening of Thursday the twenty seventh of Nov when we were drove on the Side of Battery Rock Bar Draging her anchor on it Beeing Impesibel two Land at shore for shole water the wind Beloing very hevy from the North and uncomonly Cold, where she Lay was thear forty inches water a Liter was procured and all posibele Exertions made two get her of By two Flat Boat crews. she was Litend By taking near four Hundred Barels out that on the morning of the second of December the Ice comenced Rining Before day and By Ten Oclock in the morning cutting her side in several places when all Exertions was made two get at the Leak and stop her from sinking when a second Run of Ice came down and cut her down into causing her two sink over two tear of Flour Capt Brown hear By protest against all damage or Loss that may have or will accur In saving securing and Boating out the above Flat Boat Lode two a place of safty for the Benefit of the Owners or under riters or all consernd he further protes agains all the damage that may acur besides that ma hapen while the Lod is on shore, he further states that the cargo will be all saved tho all In a damaged condition

All which are a certify being first

duly sworn given under our hands and seals this 5th day of December A.D. 1845

Thomas O Floyd (Seal)
Columbus Packer (Seal)
Henry W Brown. (Seal)

State of Illinois }
Gallatin County } ss

This day personally appeared before me Hugh McConnell a Justice of the peace in and for said County and State aforesaid Thomas O Floyd ~~Columbus~~ and Columbus Packer Henry W Brown

who being by me duly sworn says that the facts contained in the statements by them subscribed are true

this 5th day of December A.D. 1845

Hugh McConnell (J.P.)

We the undersigned hands employed in assisting in taking flour ~~flour~~ from the wreck of a flat boat commanded by Capt Henry W Brown and wrecked on the 2d dec 1845 by ice we certify upon oath that every exertion was made in saving securing and taking care of said Cargo given under our hands and seals this 15th December 1845

John S Lucas (Seal)
Philip Kahn (Seal)
Hezekiah Monroe (Seal)

State of Illinois }
Gallatin County }

This day personally appeared before me Hugh McConnell a Justice of the peace in and

for said County and State aforesaid John S Lucas
Philo Th John Hezekiah Morse who being by me
duly sworn says that the facts contained in
the statements by them subscribed are true
this 15th Dec 1845

Hugh McConnell (J P)

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Seas~~,** Rivers, Lakes, Sea &

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Twenty fourth day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Henry M Brown

William Shannon

W. Gardiner

R. Stringer
Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-fourth day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Henry W. Brown, Master of the Flat Boat called the No. 2 and declared that on the 5th day of December last past he noted in due form of law with Hugh W. Connell, Notary in and for Gallatin County, Illinois, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said H.W. Brown and requires me to extend his Protest, and together with the said Brown also come [blank], belonging to the aforesaid Flat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 11th day of November 1845, he, the said master set sail and departed in and with the said Flat Boat as Master thereof from Cincinnati, Ohio, having on board the said Boat a cargo of Flour, and bound for the Port of New Orleans, that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Departed from port on the date above written and proceeded down the Ohio river until he arrived at Jeffersonville where he was detained about one week in consequence of the low stage of water, after which proceeded on with nothing farther occurring worthy of particular note until 27th November following, when the wind blew tremendously from the North, attended with very cold weather, and the Boat was suddenly stranded on the side of what is called Battery Rock Bar – Immediately cast over anchor but she commenced dragging it, forcing the boat into shoal water where she remained fast in about forty inches of water – The Master immediately made all necessary preparation in his power to protect property, procured a lighter with extra hands, and succeeded in getting out part of her lading, when on the morning of the 2nd December, the Ice commenced running in large masses, and by 10 O'clock that morning, the Boat's side was cut in several places, and the boat commenced leaking very badly. Made all exertion to get at the leaks and stop them, to prevent her sinking but soon after a second run of Ice came along cutting her down instantly, causing her to sink immediately so that over two tiers of Flour remained under water, part of which has since been save by much exertion all more of less in a damaged condition

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Rivers, leaks, Ice &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of

her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-fourth day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon Henry W. Brown

James Gardiner

G.R. Stringer
Notary Public

Battery Rock. Dec. 5th 1845

[multiple misspellings corrected]

This day personally appeared Capt. Henry W. Brown together with his flat boat crew and says he left Cincinnati on the Evening of the Eleventh November 1845 with a flat Boat Belonging to Potts & Davis. No not recollected load [?] with something over Thirteen Hundred Barrels of Flour shipping mark J.C.H&C Bound for the port of New Orleans. That he proceeded on the said voyage to Jeffersonville where he was detained six or seven days for low water; from thence he proceeded on the above voyage with full crew and competently rigged for the above voyage in every respect. Nothing occurring till on the evening of Thursday the twenty-seventh of Nov. when he were drove [*sic*] on the side of Battery Rock Bar dragging her anchor on it. Being impossible to land at shore for shale [shallow?] water, the wind being very heavy from the North and uncommonly cold. Where she lay was near forty inches water, a lighter was procured and all possible exertion made to get her off by two Flat Boat crews. She was lightened by taking near four hundred barrels out. That on the morning on the second of December the Ice commenced running before day and Ten O'clock in the morning cutting her side in several places. When all exertions was made [*sic*] to get at the leak and stop her from sinking, when a second run of ice came down and cut her down instantly causing her to sink over two tear [tiers?] of Flour. Capt. Brown hereby protests against all damage or loss that may have or will occur in saving, securing, and Boating out the above Flat Boat load to a place of safety for the benefit of the owners or underwriters or all concerned. He further protests against all the damages that may occur [and] losses that may happen while the load is on shore. He further states that the cargo will be all saved though all in a damaged condition.

All which we do certify, being first duly sworn, given, made and having under seal this 5th day of December A.D. 1845.

Thomas Floyd (L.S.)

Columbus Packard (L.S.)

Henry W. Brown (L.S.)

State of Illinois
Gallatin County

This day personally appeared before me Hugh McConnell, a Justice of the Peace in and for said county and state aforesaid Thomas O. Floyd, Columbus Packard, [and] Henry O. Brown who being by me duly sworn says that the facts contained in the statements by them subscribed are true,

this 5th day of December A.D. 1845

Hugh McConnell, J.P.

We the undersigned hands employed in ___? in taking flour from the wreck of a flat boat commanded by Capt. Henry Brown and wrecked on the 2nd Dec. 1845 by ice, we certify upon oath that every exertion was made in saving, securing, and taking care of said Cargo given under our hands and sales the 15th December 1845.

John S. Lucas (L.S.)

Phila St. John (L.S.)

Hezekiah Monroe (L.S.)

State of Illinois

Gallatin County

This day personally appeared before me Hugh McConnell a Justice of the Peace in and for said County and State aforesaid John S. Lucas, Phila St. John, [and] Hezekiah Monroe who being by me duly sworn says that the facts contained in the statements by them subscribed are true,

this 15th Dec. 1845.

Hugh McConnell, J.P.

No. 39
Aug. 31st 1846
Protest of
Ship Hamlet

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UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twenty seventh day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Grunbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** William Wippin, Master of the Ship called the "Hamlet" and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said William Wippin and requires me to extend his Protest, and together with the said Wippin also come Joseph G. White, 1st Mate, Elijah J. Crocker 2d Mate, C. Tuchemacher "Super Cargo" William Miller, Charles Clark & Charles N. Thayer, Seamen belonging to the aforesaid Ship all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that On the Sixth day of December last past the said William Wippin departed in and with the said Ship as Master thereof from Rio de Janeiro having on board the said Ship a cargo of Coffee and bound for the Port of New Orleans that the said Ship was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

That the said Ship sailed as aforesaid on the sixth of December from the day of departure up to the 6th of January the voyage was continued with variable winds and weather having occasional squalls and fresh breezes but without any thing or circumstance worthy of particular note. On the 5th at 4 PM made the North East point of the Island of Tobago bearing South by West. On the 6th saw the Island of Granada distant about twelve miles. Seventh, Eighth and Ninth, nothing material occurred. Tenth saw the Island of Jamaica and were spoken by a Kingston pilot Boat. At Meridian saw the light House on the point. Eleventh still in sight of Jamaica Twelfth at 6 PM Pedro Bluffs in sight bearing North East and distant Eighteen miles, weather heavy and Ship under short

and Thirteenth weather variable. Fourteenth moderate. At half past ten A.M. made the Island of Cuba Cape Antonio, bearing North and distant about five miles. From the Fourteenth up to the Eighteenth, weather mostly moderate. Nineteenth. Had heavy weather attended with a very rough sea – the ship under close reef. At Meridian wore ship to the South. Sounded several times during the day & found bottom in 35 fathoms grey sand. Twentieth, the heavy weather still continued and had increased to a severe gale – the ship laying to under a close reef'd Maintopsail. At 6 P.M. fearing that the topsail would not stand bent the Main spencer & set it as a storm staysail, took in the Maintopsail. The ship labouring & shipping considerable water on deck. At midnight, the wind blew with very great violence took in the storm staysail & lay the ship to under bare poles. At half past three, A.M. the weather moderated made sail setting the Main & Mizen Topsails, close reef'd. At four, wore ship to the Southward and Westward wind from the Northward and Westward. Twenty first wind still blowing heavily with occasional severe squalls split the mainsail. Latter part of the day weather more moderate.

Twenty second. Wind fresh from West North West and weather fair. Ship under her principal sails and high wind. At 6 P.M. tacked ship to the North East, and at 10 to the West North West furled fore and Mizen top gallant sails and flying jib, the wind blowing in fresh. Middle of the day weather the same and ship under sail as before described. Latter part of the day wind fresh from the Northward, and Northward and Eastward. Ship close hauled by the wind heading West North West. At seven forty A.M. Cause was discovered which by the cook cut adrift, which was believed to be in the vicinity of the North East pass of the Mississippi River. The second officer immediately was dispatched

an object which he supposed to be the light House at the mouth of the Pass and the second sail of night. The ship was sailing West North West and as was supposed directly for the point of the Pass. At half past eight a.m. while still running in her course and while employed in getting the Anchors off the bows the ship suddenly struck the bottom. Immediately put the helm hard up to endeavor to wear her, she fell off three points and broke up hard and fast. Finding that the ship was fast the Master deemed it best to lighten her in order if possible to float her off the Bottom, which was found to be the Grand Gosier Reef about 24 miles North West of the North East pass of the Mississippi and five miles from Breton Island which bore West by North. Commenced throwing over Cargo and jettison a little over 600 Bags Coffee. As this did not relieve her, furled all sail and sent out the Boat to sound and found 13 feet water. On the twenty third at 7 P.M. set all the after sail and began to jettison more Cargo, hove over two or three hundred Bags but found, it did not assist in getting the ship afloat. At 10 P.M. the wind freshened and the ship began to beat heavily and make considerable water. Sounded the Pumps and found 24 inches of water in her which kept increasing throughout the night the ship thumping heavily all the time. The weather had all the appearance of a heavy Gale and fears were entertained that the ship would break up preparation were therefore made for the safety of the ship's company. The long Boat was cleared away and at an early hour in the morning all hands left the ship. At the time of leaving the ship she had three feet water in her. At 10 a.m. were picked up by the Schooner Curlew and on the Twenty fourth landed at the mouth of the river. The master proceeded in the long boat to the Balize for the purpose of procuring assistance. After this date the ship was assisted by the Schooner Curlew and the Steamer Lamnefean. A part of her Cargo has been saved and a part of the vessels materials, after which the vessel was deserted, all the remaining Cargo being

entirely under water - the ship filled and was fast going to pieces.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** strandings &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said William Wippin his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this thirty-first day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

Wm Wippin

William Shannon

J. Gardiner

Joseph C. Wait jr

Elijah J. Carter 2d

J. C. Teichmacher, Clerk

R. Stringer

Joseph D.

William Miller

Charles Clark

Chas. H. Thayer

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-seventh day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared William Wippin, Master of the Ship called the Hamlet and noted in due form of law with me said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said William Wippin and requires me to extend his Protest, and together with the said Wippin also come Joseph G. White, 1st Mate; Elijah J. Crocker, 2nd Mate; S.E. Teschemacher, "Super Cargo"; William Miller, Charles Clark and Charles H. Thayer, seamen, belonging to the aforesaid Ship: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Sixth day of December last past, he, the said William Wippin departed in and with the said Ship as Master thereof from Rio de Janeiro, having on board the said Ship a cargo of Coffee, and bound for the Port of New Orleans, that the said ship was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

That the said Ship sailed as aforesaid on the Sixth of December. From the day of departure up to the 2nd of January, the voyage was continuous with variable winds and weather having occasional squalls and fresh breezes, but without an act or circumstance worthy of particular note. On the 5th at 7 A.M. made the North East point of the Island of Tobago bearing South by West. On the 6th saw the Island of Granada distant about twelve miles. Seventh, Eighth and Ninth, nothing material occurred. Tenth saw the Island of Jamaica and were spoken by a Kingston pilot boat. At Meridian saw the light house on the Point. Eleventh still in sight of Jamaica. Twelfth at 4 P.M., Pedro Bluffs in sight bearing North East and distant eighteen miles. Weather heavy and ship under short sail. Thirteenth weather variable. Fourteenth moderate. At half past ten A.M., made the Island of Cuba, Cape [San] Antonio, bearing North and distant about five miles. From the fourteenth up to the eighteenth, weather mostly moderate. Nineteenth had heavy weather attended with a very rough sea – the ship under close sail. At meridian, wore ship to the south. Sounded several times during the day and found bottom in 35 fathoms grey sand. Twentieth, the heavy weather still continued and had increased to a severe gale – the ship laying to under a close reef'd main topsail. At 4 P.M. fearing that the topsail would not stand, bent the main Spencer and set it as a storm staysail. Took in the main topsail, the ship laboring and shipping considerable water on decks. At midnight, the wind blew with very great violence, took in the storm staysail & lay the ship to under bare poles. At half-past three A.M., the weather moderated. Made sail setting the main & mizzen topsails, close reef'd. At four, wore ship to the Southward and Westward, winds from the Northward and Westward. Twenty-first, wind still blowing heavily with occasional severe squalls. Split the mainsail. Latter part of the day weather more moderate.

Twenty-second wind fresh from West North West and weather fair. Ship under her principal sails and by Wind. At 5 P.M., tacked ship to the North East and at 10 to the West North West, furled fore and mizzen top gallant sails and flying jib, the wind blowing in fast. Middle of the day weather the same and ship under sail as before

described. Latter part of the day, wind fresh from the Northward and Northwest and Eastward. Ship close hauls [?] by the wind bearing West North West. At seven forty A.M., land was discovered close by the look out aloft, which was believe to be in the vicinity of the North East pass of the Mississippi River. The second officer immediately went aloft and saw [75] an object which he supposed to be the light house at the mouth of the pass and also several sails of vessels. The ship was bearing West North West and as was supposed directly for a point of the pass. At half past Eight A.M. while still running on this course and while employed in getting the anchors off the bows, the ship suddenly struck the bottom. Immediately put the Helm hard up to endeavor to save her, she fell off three points and bro't up hard and fast. Finding that the ship was fast, the Master deemed it best to lighten her in order if possible to float her off the Bottom, which was found to be the Grand Gosier Reef about 24 miles North West of the Island which bore West by North. Commenced throwing over Cargo and jettison[ed] a little over 600 bags of Coffee. As this did not relieve her, furled all sail and sent out the Boat to sound and found 13 feet of water. On the twenty-third at 7 P.M., let all the after sails and began to jettison more Cargo, hove over two or three hundred bags but found it did not asst. in getting the ship afloat. At 10 P.M. the wind freshened and the ship began to beat heavily and make considerable water. Sounded the pumps and found 24 inches of water in her which kept increasing throughout the night, the ship thumping heavily all the times. The weather had all the appearance of a heavy gale and fears were entertained that the ship would break up – preparations were therefore made for the safety of the ship's company. The long Boat was cleared away and at an early hour in the morning all hands left the ship. At the time of leaving the ship she had three feet water in her. At 10 A.M. were picked up by the Schooner Carliss and on the twenty-fourth landed at the mouth of the river. The master proceeded in the long boat to the Balize for the purpose of procuring assistance. After this date the ship was assisted by the Schooner Carliss and the Steamer Tennessean. A part of her Cargo has been saved and a part of the vessel's materials, after which the vessel was deserted; all the remaining Cargo being entirely under water, the ship bilged and was fast going to pieces,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, strandings, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said William Wippin his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Thirty-first day of January in the year of our Lord one thousand eight hundred and forty-six in the presence of William Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

J.W. Gardiner

Wm. Wippin

Joseph O. White, 1st Mate

Elijah J. Crocker, 2nd Mate

S.E. Teschemacher

William Miller

Charles Clark

Charles M. Thayer

G.R. Stringer
Notary Public

No. 20
Jan. 31st 1846
Protest of
Ship Cherokee

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UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Thirty first day of January in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** William Cushing, Master of the Ship called the Cherokee

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said William Cushing and requires me to extend his Protest, and together with the said Cushing also come Charles F. King, mate, & Benj W. Coring & James M. Murray & John Lawson, seamen,

belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Fourteenth day of January instant

he, the said William Cushing departed in and with the said Ship Cherokee as Master thereof from New York

having on board the said Ship a cargo of Assorted Merchandise

and bound for the Port of New Orleans. La.

that the said Vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Sailed from New York on the date beforementioned with a strong breese from the N. W. – from this date the weather continued favorable until the 16th when we experienced a very severe gale from the S. W. – Lay to about 12 hours the sea running very high and Ship labouring hard – 17th Wind moderated from the Northward and continued favorable for several days, nothing material worthy of note occurring. – On 23d. Made and passed Hole in

the Wall — 25th passed round the Saces
27th saw the light on Sand Key Fla. fine
steady breeses and pleasant weather — 28th
at Midnight saw the Light on the South
Pass — At day light on the 29th the Steamer
Allon took us in tow and at 9. A.M. took
a Pilot on board proceeded in over the bar
at the S.W. Pass — At 11 discharged
Pilot, and proceeded up the Mississippi River
in Company with Barque Josephine, Brig Camer
and a small Schooner, all in tow of said Steamer
Allon — At 10 P.M. the Steamer Allon cast
adrift her Tow to replenish fuel, and the tow
boat Captain sent his Pilot on board to proceed
up the River with the Vessels under Canvass,
and at 2 30 A.M. while proceeding up
the river an alarm of Fire was given by the
Watch on deck, and in less than five minutes
after the flames were rushing from the lower
Cabin, and the house on deck, which drove
the man from the wheel — Immediately
put the helm hard to Starboard and ran
the Ship for the Shore, but the bank being
very steep she backed off again when the
Anchors were cut away and the Ship broke
up to them about 30 feet from the Shore — The
flames at this were bursting thro. the Mast
coats, and the quarter deck was all on fire,
— Got out the small boat to save our
lives, as the fire had reached the Sails

and rigging all of which crew and passengers got in and reached the shore, but without even saving their clothing or personal property, barely escaping with the clothes they stood in — the Vessel at this time being completely enveloped in flames and smoke, attempted to save something from her, and succeeded in cutting away and saving her Foresail and Foretopsail — At 8 Am. 30th inst. the Foremast fell in being the last mast standing — Went alongside in a Boat and scuttled the Ship on the starboard bow, but without effect, as she began to raise out of the water as her Cargo was burning — got a Hawser fast to the chain forward and her Rudder aft and hauled the Vessel as near the bank as possible but was compelled to keep away from her as the Liquors on board were continually exploding — At 11 found it impossible to save any more property from her, and as the officers, crew and passengers were in a state of destitution, they were sent to the City of New Orleans in Steamer Alton — At 3 P.M. the Vessel had burnt to the water Edge — She drawing at this time about 11 feet aft and 13 feet forward and at 3.30 P.M. she began to fill with water and soon afterwards sank in from five to seven fathoms water — The sails saved were sent to the City — — And the said

appears further depose that the Cause of the fire is to them Entirely unknown and Can only be accounted for as having been occasioned by Spontaneous Combustion or from Some article forming a part of the Cargo, and that the first notice of the fire was as hereinbefore described by the bursting out of the flames

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Fire, &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said William Cushing his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Second day of February in the year of our Lord one thousand eight hundred and forty six in the presence of James Cordeni and Wm Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

Wm Cushing Master

Chas. T. King

W. Cordeni

Benj. W. Loring

Pat. M. Mooney

John D. Lawson

G. Kemper

N. O. Pub.

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Thirty-first day of January in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared William Cushing, Master of the Ship called the Cherokee and noted in due form of law with me said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said William Cushing and requires me to extend his Protest, and together with the said Cushing also come Charles F. King, mate & Benj. W. Loring & James M Murray & John Lawson, Seamen, belonging to the aforesaid Vessel all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Fourteenth day of January instant, he, the said William Cushing set sail and departed in and with the said Ship Cherokee as Master thereof from New York having on board the said ship a cargo of assorted Merchandise, and bound for the Port of New Orleans, La. that the said vessel was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

> Sailed from New York on the date before mentioned with a strong breeze from the N.W. ~ from this date the weather continued favorable until the 16th when we experienced a very severe gale from the S.W. ~ Lay to about 12 hours, the sea running very high and ship laboring hard ~ 17th Wind moderated from the Northward and continued favorable – for several days, nothing material worthy of note occurring ~ On 23rd made and passed Hole in Wall [Bahamas] ~ 25th passed round the Isaacs [Florida Straits]. 27th saw the light on Sand Key, Fl. Fine steady breezes and pleasant weather ~~ 28th at Midnight saw the Light on the South Pass ~ at daylight on the 29th the Steamer Alton took us in tow and at 9 A.M. took a Pilot on board, proceeded in over the bar at the S.W. Pass ~ At 11 discharged the Pilot and proceeded up the Mississippi River in company with Barque Josephine, Brig Cameo and a small Schooner, all in tow of said Steamer Alton ~ At 10 P.M. the Steamer Alton cast adrift her Tow to replenish fuel, and the tow Captain sent his Pilot on board to proceed up the River with Vessels under Canvass and at 2:30 A.M. while proceeding up the river an alarm of Fire was given by the watch on deck, and in less than five minutes after, the flames were rushing from the lower cabin, and the house on deck, which drove the man from the wheel ~ Immediately put the helm hard to starboard and ran the Ship for shore, but the bank being very steep she backed off again when the anchors were cut away and the Ship bro't up to them about 30 feet from the Shore ~~ The flames at this were bursting thro the mast coats, and the quarter deck was all on fire ~ Got out the small boat to save our lives, as the fire had reached the sails [77] and rigging, all of which, crew and passengers got in and reached the shore, but without even saving their clothing or personal property, barely escaping with the clothes they stood in ~~ the Vessel at this time being completely enveloped in flames and smoke, attempted to save something from her, and succeeded in cutting away and saving her Foresail and Foretopsail ~ At 8 A.M. 30th inst. the Foremast fell in being the last mast standing ~~ Went alongside in a boat and scuttled the Ship on the Starboard bow but without effect, as she began to raise out of the water as her Cargo was burning ~ got a Hawser fast to the chain forward and her Rudder aft and hauled the Vessel as near the banks as possible but was compelled to keep away from her as the Liquors on board

were continually exploding ~ At 11 found it was impossible to save any more property from her, and as the officers, crew and passengers were in a state of destitution, they were sent to the City of New Orleans in Steamer Alton ~~ At 3 P.M. the Vessel had burnt to the water edge, she drawing at this time about 11 feet aft and 13 feet forward and at 3:30 P.M. she began to fill with water and soon afterwards sank in from five to seven fathoms water ~ The sails saved were sent to the City ~~ And the said appearers further depose that the cause of the fire is to them entirely unknown and can only be accounted for as having been occasioned by spontaneous combustion or from some article forming a part of the Cargo, and that the first notice of the fire was as hereinbefore described by the bursting out of the flames ~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Fire, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said William Cushing his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Second day of February in the year of our Lord one thousand eight hundred and forty-six in the presence of James Gardiner and Wm. Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

James Gardiner

Wm. Cushing, Master

Chas. F. King

Benj. W. Loring

Jas. M. Murray

John Lawson

G.R. Stringer
Notary Public

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twenty eighth day of February in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** George W Armstrong, master of the Flat Boat called the Number 2 of Capt G. W. Armstrong's charge &c &c of the Freight Boats belonging to Alex. Coster & Co. & bound for New Orleans, noted in due form of law with J. M. Alexander, Justice of the Peace in and for said County, State of Louisiana his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Master also come

William Wagner, Riel C. Wayman, N. Brown, J. J. Marster, Landz

belonging to the aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 28th day of January 1846

the said G. W. Armstrong departed in and with the said Boat as Master thereof from Warsaw, Ky

having on board the said Flat a cargo of Provision,

and bound for the Port of New Orleans, La.

that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~masted~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~sea~~ the voyage she was about to undertake:

Got underway on the day and date as above written and proceeded down the river with nothing very material occuring worthy of particular note until Friday morning 6th February inst at about 9 o'clock, while passing Plum Point Bend, the wind suddenly commenced blowing heavily, towards the Arkansas shore, driving the boat towards the Bend and as the current was setting strong that way also, the master found it impossible with the exertion of all hands on board to avoid being driven into the Bend, into which they were forced and struck against some snags near the lower part of said bend sticking the boat about midway on the plank above the gunwale the lower part of the break about 15 or 20 feet in length

being under water, also breaking several of her stanchions badly, causing the boat to leak badly, and as the wind was blowing very hard with considerable swell in the bend, it was impossible to manage the boat, or keep her free and she accordingly sunk in about fifteen minutes after her disaster so that only a small portion of her roof remained above water. After this the Boat drifted along, with part of the crew still remaining on her - passed Belton, at which place procured additional help and kept by her until she run on the sand bar at the head of Island No. Thirty four, where she grounded, and now remains in a very wrecked condition ~~with a strong Cable and Anchor attached to her~~, and entirely covered under water - And the said appearers further declare that every exertion in their power has been made to save property, but only succeeded in saving small 31 Barrels Pork, the river having commenced soon after to rise rapidly, making it impossible to get out any more Cargo and the said appearers further declare that there was originally taken on board the above named Flat Boat One Thousand and ~~thirty~~ Three Barrels of Pork -

No 2 of Capt G W Armstrong Depos
on No 7 of the Tempest Book 2 Alex Co Ten

State of Tennessee
Shelby dale County This day Personally appeared before me
A. M. Alexander an acting Justice of the Peace for the County
State aforesaid — George W. Armstrong Captain of Flat
Boat No 2 and Made Oath that he started from Warsaw
in the State of Kentucky on the 28th day of January 1846 with
a Flat boat No 2 loaded with Barrell Pork, about Ten hundred &
sixty barrells belonging to Roberts & Peak of Warsaw Ky,
and Consigned to George Roberts — N. Orleans — and had
on board — good and sufficient Crew of hands to manage
said boat being Six in number — good Cables — Anchor &c —
and that said boat was strong & well built & was in every way
sufficient for the load — and that no accident of any kind
happened untill Friday Morning about 9 o'clock on the 6th
day of March — when whilst passing Plum Point bend, the wind
sprung up & blew hard towards the Arkansas Shore, driving
the boat into the bend, which together with the strong
current setting in the same direction, made it impossible
with all the exertions that could be used with all hands,
to keep the said boat out of the bend — finally we were driven
against some snags near the lower part of the bend — and the
said boat No 2, was snagged about Mid way the boat, on the plank
above the gunwale plank, the lower part of the break being
under the water & some fifteen to twenty feet in length, and some
of the stanchions broken in — the wind blowing hard the
waves being so high, it was impossible to repair or stop the
break, every exertion being used — She sunk down in about
from Ten to fifteen Minutes, after she was snagged untill but
a small portion of the roof was left above the water,
we then for the safety of the other boat No 2 to which
she was lashed — Compelled to cut her loose, the then drifted on
down, after this she a portion of the hands still remaining on her, Fort
Pillow, at which place we got additional help, untill
the next on the Island bar, at the head of Island Thirty four
where she grounded & we lies with a strong Cable & anchor
attached to her, entirely Covered under water, we made

being under water also making Water at the

A 65

every exertion possible to get the loading out, & succeeded in saving twenty two barrells of the Pork, but the river continued to rise so fast that it was impossible to do any thing for them untill the river should commence falling And that I have left three of Bros to watch & take Care of the boat, together with J. M. Alexander Esq of Fulton who will give all necessary aid — in saving the property

Sworn to & subscribed before me this

8th Feby 1846

Jeff Armstrong

J. McAlexander [JP]
for Lauderdale County

State of Tennessee
Lauderdale Cty — This day Personally appeared before me J. M. Alexander an acting justice for the County & State aforesaid William Wagner, second & assistant Pilot — and Riol C. Wayman, Benjamin Pine — Geo. A. Gray — John T. Martens — H. Brown — John W. Hopet — W. B. McFaly — Stephen Burgs — Lambert C. Bergen — & A. N. Clark Crew belonging to flat Boats No 1 & 2 — and made oath — that the statements made by Capt. Armstrong in the above affidavit are all true

Sworn to & subscribed before me this 8th Feby 1846

J. McAlexander [JP]
for Lauderdale County

William Wag
R. C. Wayman
Benjamin Pine
G. A. Gray
John T. Martens
H. Brown
J. W. Hopet
W. B. McFaly
Stephen Burgs
Lambert C. Bergen
Andrew N. Clark

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Seas,~~ Snags, Lake &c**

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said George W. Armstrong his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Twenty eight day of February in the year of our Lord one thousand eight hundred and forty-six in the presence of W. Shannon and J. Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. / Nine words erased before signing / One interlined /

William Shannon

J. Gardiner

G. W. Armstrong

William Wagner

Ziel G. Hayman

H. Brown

J. J. his + Masters mark

R. Stringer

Notary

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-eighth day of February in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared George W. Armstrong, Master of the Flat Boat called the No. 2 of Capt. G.W. Armstrong's charge &c and "7" of the freighter Boats belonging and adjudged [?] to Alex Colter & deposed that on the 8th day of February 1846 he noted in due form of law with J.M. Alexander, Justice of the Peace for Lauderdale County, State of Tennessee his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Master also come William Wagner, Phil C. Wagman, H. Brown, J.J. Marsten, hands, belonging to the aforesaid Flat Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 28th day of January 1846 he, the said G.W. Armstrong set sail and departed in and with the said Boat as Master thereof from Warsaw, Ky. having on board the said Flat a cargo of Provisions, and bound for the Port of New Orleans, La. that the said Flat Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got underway on the day and date as above written and proceeded down the river with nothing very material occurring worthy of particular note until Friday morning 6th February inst. at about 9 O'clock while passing Plum Point Bend [TN, Mississippi River], the wind suddenly commenced blowing heavily, towards the Arkansas shore, driving the boat towards the Bend; and as the current was setting strong that way also, the master found it impossible with the exertion of all hands on board to avoid being driven into the Bend, into which they were forced and struck against some snags near the lower part of said bend striking the boat about midway on the plank above the gunwale, the lower part of the break about 15 or 20 feet in length being under water, also breaking several of her stanchions badly, causing the boat to leak badly and as the wind was blowing very hard with considerable swell in the bend, it was impossible to manage the boat, or keep her free and she accordingly sunk in about fifteen minutes after her disaster so that only a small portion of her roof remained above water. After this the Boat drifted along, with part of the crew remaining on her – passed Fulton [TN], at which place procured additional help and kept by her until she run [*sic*] on the sand bar at the head of Island No. Thirty-four, where she grounded, and now remains in a very wrecked condition, and entirely covered underwater – And the said appearers further declare that every exertion in their power has been made to save property, but only succeeded in saving in all 31 Barrels Pork, the river having commenced soon after to rise rapidly, making it impossible to get out any more Cargo and the said appearers further declare that there was originally taken on board the above named Flat Boat One Thousand and Thirty Barrels of pork

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or

crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, snags, leaks &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Boat the owner or owners of the said Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said George W. Armstrong his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-eighth day of February in the year of our Lord one thousand eight hundred and forty-six in the presence of William Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon	G.W. Armstrong
J.W. Gardiner	William Wagner
	Riol C. Wagman
	H. Brown
	X J.J. Marsten [Masters]

G.R. Stringer
Notary Public

State of Tennessee
Lauderdale County

No. 2 of Capt. G.W. Armstrong's charge and No. 7 of the freighter Boats belonging to Alex Colter

This day personally appeared before me J.M. Alexander an acting Justice of the Peace from the County and State aforesaid~~ George W. Armstrong, Captain of Flat Boat No. 2 as above and made oath that he started from Warsaw in the State of Kentucky on the 28th day of January 1846 with Flatboat No. 2 loaded with Barrell [*sic* throughout] Pork, about Ten hundred & sixty barrels belonging to Roberts & Peak of Warsaw Ky. and consigned to George Roberts ~ New Orleans ~ and had on board a good and sufficient crew of hands to manage boat being Six in number – good cables – anchor &c – and that the boat was strong and well built & was in every way sufficient for the load – and that no accident of any kind happened until Friday morning about 9 O'clock on the 6th Febry. last – when whilst passing Plum Point bend [TN], the wind strongly blew hard towards the Arkansas Shore, driving the boat into the bend, which together with the strong current setting in the same direction, made it impossible with all the exertions that could be used with all hands to keep this said boat out of the bend – finally we were driven against some snags near the lower part of the bend – and then sd. Boat No. 2 was

snagged about midway [on] the boat, on the plank near the gunwale plank, the lower part of the break being under water & some fifteen to twenty feet in length, and several of the stanchions broken in – the wind blowing hard the water being so high, it was impossible to repair or stop the break, every exertion being tried [?] – She sunk down in about from ten to fifteen minutes after she was snagged until but a small portion of the roof was left above the water, we were then for the safety of the other boat No. 1 to which she was lashed – compelled to cut her loose, after this she drifted on down, a portion of the hands still remaining on her, past Fulton, at which place we got additional help, until she run [*sic*] on the sand bar at the head of Island Thirty-four where she grounded & now lies with a strong Cable & anchor attached to her, entirely covered under water; we made [185-A] every exertion possible to get the loading out, & succeeded in saving twenty-two barrels of the Pork, but the river continued to rise so fast that it was impossible to do anything from there.

Sworn to & subscribed before me this 8th Feby. 1846 G.W. Armstrong
J.M. Alexander /JP/
for Lauderdale County

State of Tennessee
Lauderdale Cty. – This day personally appeared before me J.M. Alexander as acting justice for the County and State aforesaid William Wagner, Second Sr. assistant Pilot – and Riol C. Wagman, Benjamin Pine – George A. Gray – John J. Masters – H. Brown – John W. Fosset [*sic*] – W.B. McBley – Stephen Burge – Lambert C. Bergen & A.N. Clark – Crew belonging to flat Boats No. 1 & 2 – and made oath – that the statements made by Capt. Armstrong in the above affidavit are all true.

Sworn to & subscribed before me this 8th July 1846

J.M. Alexander JP
For Lauderdale County

	William Wagner
	R.C. Wagman
	Benjamin Pine
	G.A. Gray
X	John J. Masters
	H. Brown
	J.W. Fawcett
	W.B. McBley
	Stephen Burge
X	Lambert Bergen
X	Andrew Clark

No. 116
March 16 1846
Protest
of
Flatboat Ohio

247

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Sixteenth day of March in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Pidgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of New Orleans, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, Charles Pierce, Master of the Flat Boat No 8. called the Ohio

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Charles Pierce and requires me to extend his Protest, and together with the said Pierce also come Noah Northcraft, Franklin Dickson Bennet Stoye and Michael McCabe hands

belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that On Saturday the 14th day of February last past

he, the said Charles Pierce departed in and with the said Flat Boat Ohio as Master thereof from Cincinnati Ohio.

having on board the said Flat a cargo of Provisions

and bound for the Port of New orleans. La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

Got ready for departure from their port of lading on the day and date as aforesaid, and proceeded down the Ohio River with nothing very material occurring worthy of particular note until Sunday morning at about half past three Oclock A. M. when the moon having gone down, and there being a very thick fog arising, the Master deemed it necessary for general safety to land and make the boat secure for the rest of the night, and while making the necessary preparation, having reached the banks of the river, the boat suddenly struck a large root

of a tree, partly concealed under the water, and stove in the side of the boat very badly, causing her to sink in less than twenty minutes, rendering all the exertion in their power by pumping bailing, &c utterly useless — At the time of her disaster the Boat had reached a place called Racourci Point, about two hundred miles above this city, in the Mississippi River — Immediately made every exertion in their power to save property. secured the wreck at the bank of the river, employed all the extra hands that could be found in the neighborhood of the disaster, and commenced saving property — got out part of the cargo in a damaged condition, and put it on shore

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** ~~Fire,~~ Leaks, Snags &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Pierce his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Sixteenth day of March in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner — both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon — Charles Pierce

J. Gardiner — Noah Rothcraft

Franklin Dickson

Bennet Stone

Michael McCabe

R. Nixon
Notary

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Sixteenth day of March in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Charles Pierce, Master of the Flat Boat No. 8 called the Ohio and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Charles Pierce and requires me to extend his Protest, and together with the said Pierce also come Noah Northcraft, Franklin Dickson, Bennet Stoye and Michael McCabe, hands, belonging to the aforesaid Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Saturday the 14th day of February last past he, the said Charles Pierce set sail and departed in and with the said Flat Boat Ohio as Master thereof from Cincinnati, Ohio, having on board the said Flat a cargo of Provisions, and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got ready for departure from their port of lading on the day and date as aforesaid, and proceeded down the Ohio River with nothing very material occurring worthy of particular note until Sunday morning at about half-past three O'clock A.M. when the moon having gone down, and there being a very thick fog arising, the Master deemed it necessary for general safety to land and make the boat secure for the rest of the night; and while making the necessary preparation, having reached the banks of the river, the boat suddenly struck a large root of a tree partly concealed under the water, and stove in the side of the boat very badly, causing her to sink in less than twenty minutes, rendering all the exertion in their power by pumping, bailing, &c utterly useless~~ At the time of her disaster the Boat had reached a place called Racourci [*sic*] Point about two hundred miles above the city in the Mississippi River~~ Immediately made every exertion in their power to save property – secured the wreck at the bank of the river, employed all the extra hands that could be found in the neighborhood of the disaster, and commenced saving property ~ got out part of the Cargo in a damaged condition, and put it on shore,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, leaks, snags, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make

contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Pierce his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Sixteenth day of March in the year of our Lord one thousand eight hundred and forty-six in the presence of William Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

J.W. Gardiner

Charles Pierce

Noah Northcraft

Franklin Dickson

Bennet Stoye

Michael McCabe

G.R. Stringer
Notary Public

No. 143
Filed 31st 1846
Protest of
Steam Boat
Wabash Valley

297

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Thirty first day of March in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans,** State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Wm W. Tunstall, Master of the Steam Boat called the Wabash Valley and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said W. W. Tunstall and requires me to extend his Protest, and together with the said W. W. Tunstall also come F. C. Fulcher, Clerk, Wm Butler, Mate, Thos L. Bailey Pilot, Gideon Witham, Engineer, Henry Klanke, Pilot, James Neal Watchman, and William Butler and C. Johnson, Deck Hands,

belonging to the aforesaid Steam Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Friday the Twentieth day of March 1846 at about 11 O'clock a.m. he, the said Wm W. Tunstall departed in and with the said Steam Boat as Master thereof from Batesville. Ark. (on the White River)

having on board the said Steamboat a cargo of Merchandise

and bound for the Port of New Orleans. La.

that the said Steam Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well [redacted], manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for [redacted] the voyage she was about to undertake:

Got up Steam, on the day and date as above written, with part of Cargo on board, and proceeded down White River. — On the same Evening arrived at Fosters Landing, and received on board more Cargo. — Next morning Saturday 21st left said Landing and continued on the passage from day to day with nothing material occurring worthy of particular note up to Friday 27th March instant — On the following morning about a half an hour past midnight, being

at this time clear and starlight the Pilot of the Wabash Valley, Thomas L. Bailey, who was then at the Wheel, first discovered a Steam-Boat distant about two miles running up the Mississippi River — At this time the Wabash Valley had her signal lantern well lighted and placed in the usual place on her hurricane deck and was running in the regular channel taken by ~~boats~~ Steamers going down the said Mississippi, being in the middle of the river on the "bend side" so called, (about one mile below Jefferson College. — Soon after the Steamer Rainbow passed taking the costomary course, when the Pilot at the wheel observed to the Mate, that the next boat coming was above her regular crossing point and running too near the "bend side of the River, and as she approached nearer they hailed the Steamboat (since ascertained to be the Bulletin, Church Master) to stop their boat to prevent running into the Wabash Valley and instantly after, stopped both the Engines of the said Wabash Valley, and rung the Bell to have her backed, but too late to prevent the disaster, and the said Steam Boat Bulletin having continued on without stopping, immediately run into the Steamer Wabash Valley striking her with great force on the Larboard side, near the Chock, cutting her Bow

completely off, when the boat sunk to her Cabin Floor in less than three minutes after, the Crew and passengers barely saving their lives — Made signal of distress immediately by constantly ringing her Bell for the Bulletin to remain by us, but she proceeded on without once stopping to render any assistance, the boat at this time being a complete wreck, and the Hull parted from her cabin — Continued making signals for assistance, ringing bell &c. when shortly after Capt. Scott with the steamer Belle Creole came alongside took the passengers and crew from her, and afterwards towed the wreck to the bank of the river where she now remains nearly under water — Immediately made all due exertion to save property, got out part of her Cargo, Cabin furniture &c. when finding nothing further could be done for the general good, the officers and crew (after taking good care of the property saved) proceeded on and arrived in the City of New Orleans, without further disaster or delay —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steamer or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steamer or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** [redacted], and disaster by being run into and sunk by Steam Boat Bulletin, (Welch Master)

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamer or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer the owner or owners of the said Steamer or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamer or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Wm W. Turnstall his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Thirty First day of March in the year of our Lord one thousand eight hundred and forty-six in the presence of James Gardiner and William Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon
J. Gardiner

Wm W Turnstall Capt
H. Pitcher Clk
A. J. Butler Mate
Thomas L. Scally Pilot
Gideon Witham Engineer
Henry Klauke Pilot
James his X mark Neal Watchman
William Butler
C. Johnson

G. Stinger
N. Lee

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Thirty-first day of March in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Wm. W. Tunstall, Master of the Steam Boat called the Wabash Valley and noted in due form of law with me said Notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said W.W. Tunstall and requires me to extend his Protest, and together with the said W.W. Tunstall also come F.C. Fulcher, Clerk; A.G. Butler, Mate; Thomas L. Bailey, Pilot; Gideon Witham, Engineer; Henry Klanke, Pilot; James Neal, Watchman; and William Butler and C. Johnson, Deck Hands, belonging to the aforesaid Steam Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Friday the Twentieth day March 1846 at about 11 O'clock A.M., he, the said Wm. W. Tunstall set sail and departed in and with the said Steam Boat as Master thereof from Batesville, Ark. (on the White River), having on board the said Steamboat a cargo of Merchandise, and bound for the Port of New Orleans, La. that the said Steam Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got up Steam on the day and date as above written, with part of Cargo on board, and proceeded down White River.~ On the same evening, arrived at Fosters Landing, and received on board more Cargo~~ Next morning Saturday 21st left said landing and continued on the passage from day to day with nothing material occurring worthy of particular note up to Friday 27th March instant ~~ On the following morning about a half an hour past midnight, being at this time clear and starlight, the Pilot of the Wabash Valley, Thomas S. Bailey, who was then at the wheel, first discovered a Steam Boat distant about two miles running up the Mississippi River ~~ At this time the Wabash Valley had her signal lantern well lighted and placed in the usual place on her hurricane deck and was running in the regular channel taken by Steamers going down the said Mississippi, being in the middle of the river on the "bend side" so called, (about one mile below Jefferson College [St. James Parish]~~~ Soon after the Steamer Rainbow passed taking the customary course, when the Pilot at the wheel observed to the Mate that the next boat coming was above her regular crossing point and running too near the "bend side" of the River, and as she approached nearer they hailed the Steamboat (since ascertained to be the Bulletin, Church Master) to stop their boat to prevent running into the Wabash Valley and instantly after, stopped both the engines of the said Wabash Valley, and rung the Bell to have her backed, but too late to prevent the disaster, and the said Steam Boat Bulletin having continued on without stopping, immediately run [*sic*] into the Steamer Wabash Valley striking her with great force on the S[t]arboard side, near the chock, cutting her Bow [298] completely off, when the boat sunk to her Cabin Floor in less than three minutes after, the crew and passengers barely saving their lives~~ Made signal of distress immediately by constantly ringing her Bell for the Bulletin to remain by us, but she proceeded on without once stopping to render any assistance, the boat at this time being a complete wreck, and the Hull parted from her Cabin ~~ Continued making signals for assistance, ringing bell &c. when shortly after Capt. Scott with the Steamer Belle Creole came alongside took the passengers and crew from her, and afterwards towed the wreck to the bank of the river where she now remains nearly under water~~

Immediately made all due exertion to save property, got out part of her Cargo, Cabin furniture &c, when finding nothing further could be done for the general good, the officers and crew (after taking good care of the property saved) proceeded on and arrived in the City of New Orleans, without further disaster or delay~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steamer or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Steamer or default of him, this deponent, his officers or crew: he now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, and disaster by being run into and sunk by Steam Boat Bulletin, Church Master and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamer or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer the owner or owners of the said Steamer or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamer or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Wm. W. Tunstall his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Thirty-first day of March in the year of our Lord one thousand eight hundred and forty-six in the presence of James Gardiner and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

J.W. Gardiner

William Shannon

Wm. W. Tunstall, Capt.

F.C. Fulcher, Clerk

A.G. Butler, Mate

Thomas L. Bailey, Pilot

Gideon Witham, Engineer

Henry Klanke, Pilot

X James Neal, Watchman

William Butler

C. Johnson

G.R. Stringer
Notary Public

No. 182

April 3rd 1846

Protest of

Ship St. Cloud

469

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the third day of April in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** William W. Hatch master of the ship called the St. Cloud and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Wm W. Hatch and requires me to extend his Protest, and together with the said Wm W. Hatch also come Freeman A. Lewis Mate, Edward C. Parker Second Mate, Daniel L. Murdoch, Ephm. Moulton, Calvin L. Wood, John O'Brien, Antonio Peter, Seamen

belonging to the aforesaid ship all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Saturday the Seventieth day of January last past,

he, the said Wm W. Hatch departed in and with the said vessel as master thereof from Liverpool, Engd.,

having on board the said ship ~~a cargo of~~ Ballast

and bound for the Port of Charleston, S.C.

that the said Ship St. Cloud was then stout, staunch, and strong; had ~~her cargo~~ Ballast well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Throughout the day of leaving port as per date above written, had light winds from the Eastward - hauled ship into the Dock Lock being ready for sea - On the following day Sunday 18th Jany. Commences fresh breezes from S.E. and thick weather - At 1 PM left Pier Head with Pilot on board - At ½ past 3 PM Pilot left us At 4 Outer light vessel bore S.E. by E. distant 4 miles - Monday 19th Tuesday 20th Wednesday 21st nothing very material occurred. Thursday 22d. Had fresh gales and thick weather. Wind S.S.W, during the night experienced strong gales with tremendous heavy gales squalls - ship under close reefed Fore and Main Topsail and main Spencer - day ends the same - January 23d much the same a heavy sea running, vessel labouring

and straining – 24th Jan. more moderate – a great swell running from the Westward. Vessel laboring and pitching heavily and shipping water. Sunday 25th Jan. had fresh gales from W.N.W. – 26th Commences fresh gales and thick weather – during the night experienced heavy gales with tremendous squalls of wind and rain, Vessel laboring straining and pitching tremendously, under close reefed Topsail and reefed Foresail. At this time the ship was laboring very badly and soon after commenced taking some. At 8 A.M. gale still increasing, took in Main Topsail and Foresail – Split the fore and Main Course badly – crew employed at the pumps as occasion required – 27th Jan. & 28th do. Much the same – Vessel taking as before. 29th had strong gales – At 9 A.M. increasing, took in foresail latter part of day strong gales, and very heavy sea running, vessel laboring and straining badly – Split the Fore and main Topsail badly parted the larboard Maintopsail sheet. From this latter day up to February 8th experienced variable winds and weather, but nothing very material occurred to call for the particulars of same. Ship continued to leak more or less as the weather became boisterous or calm – On Wednesday 4th February – had strong gales and passing clouds – during the night had a great swell from the North the ship rolling and straining heavily. 5th Feb. gale continued as before took in and reefed sails. At 8 P.M. wind suddenly changed to the North – At this time discovered that the ship was taking very badly – Employed the hands to throw overboard ballast to lighten vessel the day ends, with tremendous heavy squalls, and sea running – ship laboring badly and making 500 strokes per hour – Pumps strictly attended to. Friday Wind N.W. strong gales raining – heavy sea running

ship laboring badly and leak increased to 600 strokes per Hour - bore away to get the ship into Lisbon if possible as the most favorable port, but on the following day, the wind heavy, proved variable & unfavorable - altered our determination and made our course for Fayal. 8th Leak still steadily increasing - Crew employed constantly at the pumps - made strict search to endeavor to find the leak, but without success - Vessel appeared to be working badly in many places - Monday 9th experienced strong gales with tremendous heavy squall of wind and rain, a very heavy sea running - Ship laboring hard and leak still increasing Tuesday 10th Much the same, vessel rolling & laboring much - Continued to search for the leak, trimmed the ballast out and cut away her ceiling, but could not discover the leaks - One pump constantly going - Wednesday 11th had strong gales with tremendous heavy squalls - Tremendous heavy sea running, ship rolling and laboring badly - leak increased both pumps constantly going - finding no chance of preserving the ship and being unable to make or carry sail order in consequence of her leaking - Made preparation to be in readiness to leave the vessel for the preservation of their lives - Thursday the same as day before - the crew completely exhausted from excessive exertion, pumping &c - No sail carried on the ship in consequence of her leaking - Friday 13th Feb. continued heavy gales and squally - Wind S.S.W. At 6, am. discovered a sail bearing East, distant 5 miles and finding no possibility of saving the ship, and all hands, being completely exhausted, it was deemed necessary for the preservation of their lives to abandon her, accordingly made signal of distress, and the ship came to our relief, and after some delay we succeeded in getting on board of the ship Lochmoar and arrived at New Orleans without further disaster at the time of leaving the wreck, there was over five feet of

water in her hold.

and the said master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** leak, abandonment

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said master his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this third day of April in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

J. Gardiner

Wm. H. Clark

Freeman A. Lewis

Edward C. Parker

David L. Hardwell

Ephraim Mullett

Calvin L. Mead

John C. Prior

Antoine + Pela
mark

R. Mingo
Notary

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the third day of April in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared William W. Hatch, Master of the ship called the St. Cloud and noted in due form of law with me said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Wm. W. Hatch and requires me to extend his Protest, and together with the said Wm. W. Hatch also come Freeman A. Lewis, Mate; Edward C. Parker, Second Mate; Jared L. Wardell, Ephram Mullett, Colin L. Mead, John O'Brien, Antonio Poli, Seamen, belonging to the aforesaid ship all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Saturday the Seventeenth day of January last past, he, the said Wm. W. Hatch set sail and departed in and with the said vessel as Master thereof from Liverpool, Engd., having on board the said ship Ballast, and bound for the Port of Charleston, S.C. that the said Ship St. Cloud was then stout, staunch, and strong; had her Ballast well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

> Throughout the day of leaving port as per date above written, had light winds from the Eastward – hauls ship into the Dock Lock being ready for sea – On the following day Sunday 18th Jan. commences fresh breezes from S.E. and thick weather~~ At 1 P.M. left Pear Head [?] with Pilot on board – At ½ past 3 P.M. Pilot left us. At 4 Outer light vessel bore S.E. by E. distant 4 miles ~~Monday 19th, Tuesday 20th, Wednesday 21st nothing very material occurred. Thursday 22nd had fresh gales and thick weather – Wind S.S.W., during the night experienced strong gales with tremendous heavy gales, squalls – Ship under close reefed Fore and main Topsail and main Spencer [trysail] – day ends the same – January 23rd much the same, a heavy sea running, vessel Laboring and straining ~~ 24th Jan. more moderate ~ a great swell running from the Westward. Vessel laboring and pitching heavily and shipping water. Sunday 25th Jan. had fresh gales from W.S.W. ~ 26th commenced fresh gales and thick weather ~ during the night experienced heavy gales with tremendous squalls of wind and rain, vessel laboring, straining and pitching tremendously, under close reefed topsail and reefed Foresail. At this time the ship was laboring very badly and soon after commenced leaking some. At 8 A.M. gale still increasing, took in Major Topsail and Foresail ~ Split the fore and main course badly ~ men employed at the pumps as occasion required ~ 27th Jan. & 28th do much the same – vessel leaking as before. 29th had strong gales – at 9 A.M. morning, took in foresail, latter part-of-day strong gales and very heavy sea running, vessel laboring and straining badly ~ Split the Fore and main topsail badly, parted the larboard main topsail sheet. From this latter day up to February 3rd experienced variable winds and weather, but nothing very material occurred to call for the particulars of same. Ship continued to leak more or less as the weather became boisterous or calm – On Wednesday 4th February ~ had strong gales and passing clouds ~ during the night had a great swell from the North, the ship rolling and straining heavily. 5th Feb. gale continued as before took in and reefed sails. At 8 P.M. wind suddenly changed to the North – At this time discovered that the ship was leaking very badly – Employed the hands to throw overboard ballast to lighten vessel, the day ends with

tremendous heavy squalls and sea running. Ship laboring badly and making 500 strokes per hour – Pumps strictly attended to. Friday wind N.W. strong gales and raining – heavy sea running [470] ship laboring badly and leak increased to 600 strokes per hour – bore away to get the ship into Lisbon if possible as the most favorable port, but on the following day, the wind heavy, proved variable & unfavorable – Altered our determination and made our course for Fayal [Azores]. 8 Feb. leak still steadily increasing – Crew employed constantly at the pumps ~~ made strict search to endeavor to find the leak, but without success – Vessel appears to be looking badly in many places – Monday 9th experienced strong gales with tremendous heavy squall of wind and rain, a very heavy sea running – Ship laboring hard and leak still increasing. Tuesday 10th much the same, vessel rolling & laboring much ~ Continued to search for the leak, trimmed the ballast out and cut away her ceiling, but could not discover the leaks – one pump constantly going ~ Wednesday 11th had strong gales with tremendous heavy squalls ` Tremendous heavy sea running, ship rolling and laboring badly – leak increased both pumps constantly going – find no chance of preserving the ship and being unable to make or carry sail on her in consequence of her leaking – Made preparation to be in readiness to leave the vessel for the preservation of their lives – Thursday the same as day before – the crew completely exhausted from excessive exertion, pumping &c – no sail carried on the ship in consequence of her leaking – Friday 13th Feb. continued heavy gales and squally – wind S.S.W. At 6 A.M. discovered a sail bearing East, distant 5 miles and finding no possibility of saving the ship, and all hands, being completely exhausted, it was deemed necessary for the preservation of their lives to abandon her, accordingly made signal of distress, and the ship came to our relief, and after some delay we succeeded in getting on board of the ship Lochinvar and arrived at New Orleans without further disaster. At the time of having the wreck, there was over five feet of water in her hold,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, leaks, abandonment and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said vessel the owner or owners of the said vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Third day of April in the year of our Lord one thousand eight hundred and forty-six in the presence of W. Shannon and James Gardiner, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon Wm. W. Hatch

James Gardiner

Freeman A. Lewis

Edward C. Parker

Jared L. Wardell

Ephram Mullett

Colin L. Mead

John O'Brien

X Antonio Poli

G.R. Stringer
Notary Public

No. 195

Apl 11th 1846

Protest of

Steam Boat

Patriot

482

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Eleventh day of April in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of New Orleans, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** David F. Rudd, Master of the Steam Boat called the Patriot and declared that on the 25th day of March 1846 he noted in due form of law with Colby Rundle, Notary in and for State of Tennessee, County of Henry his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said David F. Rudd and requires me to extend his Protest, and together with the said David F. Rudd also come Rufus Ford, Clerk, Frank Casey

belonging to the aforesaid Steam Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Nineteenth day of March last past he, the said Rudd departed in and with the said Steamer Patriot as Master thereof from Florence Landing, on the Tennessee River

having on board the said Boat a cargo of Cotton

and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

departed from the aforesaid Landing as above written and proceeded down the River with no accident occurring up to 21st day of March following. On the 22nd soon after midnight while proceeding on their regular Course, having arrived to within about four miles of the mouth of the Sandy, the boat suddenly struck on a bar near the upper End of Lewis' Island, and remained hard and fast. Immediately used all means in their power to back her off but without success, and finding

the river to be falling very rapidly, and the boat having settled on the Bar and bilged, the Master deemed it necessary for general preservation of property to employ lighters and the hands who together with himself and part of the crew immediately after commenced discharging and saving Cargo, which was landed on shore and placed in safety; some of it partially damaged, and several Bales lost, (when the boat sunk,) in consequence of the Starboard guard breaking — Part of the Cargo has since been reshipped on board Steamer Glencoe, charges and Salvages paid thereon, and that portion of the property brought to New orleans in charge of the Clerk of the Patriot — The remaining Cargo saved is now near the mouth of the Sandy, and at Paducah, and the Master has arrived here to procure the necessary funds and conveyance to return and get the balance of Cargo out of the possession of the Salvors — Part of the Materials of the boat have also been saved — Most of the Cotton saved, was floated down the river abt. Seven miles, by means of rafts made by connecting the bales of Cotton together, for the purpose of finding a suitable place to land the same, — The Cotton lost overboard by the breaking of the Starboard guard was mostly recovered and taken out of the hands of Salvors by paying the charges on same —

State of Tennessee
County of Henry } To Wit:

By this Public Instrument of Protest
Be it known & made manifest to all
to whom these presents shall come or may in
anywise concern that on the 25th day of March
in the Year of our Lord Eighteen Hundred & forty six
before me Colby Rundle a Justice of the peace
in & for the State & County aforesaid duly Com-
missioned & qualified Came D. J. Rudd acting
Master or Captain of the Steam Boat "Patrick"
about feet in length, and feet in breadth
and carrying three Hundred & fifty tons, and also
Came James R. Rogers the Pilot, Simon F.
Hicks Mate, Joseph Kelly 2d mate, Abram D. L.
Crawford 2d Clerk, Alexander Gager & John Perry Cook
Hands & Enos Shillito Engineer — All of and belonging
to said Boat, who being severally sworn, according
to Law to declare the truth deposeth & saith that
said Boat departed from the Florence Landing
on the Tennessee River in the County of
Lauderdale in the State of Alabama on the 1st day
of March in the Year 1846 — Loading with Eighteen
Bales of Cotton & proceeded on the trip down
and took in at different Landings, Cotton amounting
in all to 1196 Bales, Shipped by Sundry Shippers
and Consignees to Sundry Consignees — That under
the Command of the said D. J. Rudd who is
now Appointed & Will act Commander bound
for the Port of New Orleans in the State of
Louisiana, That when the Boat departed from
the said Florence, Tight & strong, well manned
& Equipped for the Voyage, That the proceeded

[illegible] and [illegible]

[illegible] the above without unnecessary delay [illegible]
or accident, while the said Day of March 1840
when at or about the place called Sunset
in the Sunflower River, about four miles above
the Mouth of Same, Said Boat came upon a
bar at the upper end of Said Same Island,
the water falling very fast; and could not be
got off, the weight of the Cargo breaking the
Boat as the water subsided & left her on the
Bottom; That every Exertion on the power
of said D. F. Randle as Master or Captain of
said Boat, and of the Crew under his Command
to avoid & prevent this accident, was made
by which aforesaid accident said Boat was
much injured, and her Cargo thereon damaged
Highly Damaged, That as soon as possible
after said accident & loss occurred the said
Master & Crew, presence witnesses were sent
all the means within their reach, to recover
and save the Cargo, Engine & furniture of said Boat
from the danger of which it might be in,
and therefore the said Appearers, have appeared
the said D. F. Randle acting master as aforesaid
said Boat, and J. the said Colby Randell Justice
of the Peace aforesaid at their request, & hereby
do most solemnly & publicly protest against
the owner & owners of the Cargoes on the said
Boat, hereby severally against the aforesaid
or accident, as the cause of all the loss and
damage in the premises & that no fault, neglect
or mismanagement is, or might be ascribed
to the said appearers, or any part of the said
Boat, Crew or Company.

Done and Protested, at the Mouth of

D. 483.

...ty on the Day & year first above written, the
...testors Signing their names with me the
...by Handle Justice of Peace

Signed

David F. Bruce Master
James P. Rogers Pilot
S. F. Hicks mate
Joseph Kelly 2d mate
Abram O. Gilchrist 2d Clerk
Alex his × mark Geyer Deck Hand
John Perry Deck Hand
Enos Shillito 1st Engineer

C. Handle J. Justice
of Peace for Henry County
Tennessee

and the said D. F. Rudd further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steam Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Steamer Patriot or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said David F. Rudd doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Strandings, &c &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamboat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer the owner or owners of the said Steamboat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steam Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said D. F. Rudd his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Eleventh day of April in the year of our Lord one thousand eight hundred and forty-six in the presence of James Gardiner and William Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

W. Gardiner

David F. Rudd. Master

William Shannon

Lufus Ford Clerk

his
Frank X Casey
mark

R. Simon
Notary

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eleventh day of April in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared David F. Rudd, Master of the Steam Boat called the Patriot and declared that on the 25th day of March 1846 he noted in due form of law with Colby Randle, Notary in and for State of Tennessee, County of Henry, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said David F. Rudd and requires me to extend his Protest, and together with the said David F. Rudd also come Rufus Ford, Clerk, Frank Casey, belonging to the aforesaid Steam Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the Nineteenth day of March last past, he, the said Rudd set sail and departed in and with the said Steamer Patriot as Master thereof from Florence Landing, on the Tennessee River, having on board the said Boat a cargo of Cotton, and bound for the Port of New Orleans that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Departed from the aforesaid landing as above written and proceeded down the River with no accident occurring up to 21st day of March following ~ On the 22nd soon after midnight, while proceeding on their regular course, having arrived to within about four miles of the mouth of the Sandy, the boat suddenly struck on a bar near the upper end of Lewis Island and remained hard and fast. Immediately used all means in their power to back her off but without success, and finding the river to be falling very rapidly, and the boat having settled on the Bar and bilged, the Master deemed it necessary for general preservation of property to employ lighters and the hands who together with himself and part of the crew immediately after commenced discharging and saving Cargo, which was landed on shore and placed in safety, some of it partially damaged, and several Bales lost, (when the boat sunk) in consequence of the starboard guard breaking ~~ Part of the Cargo has since been reshipped on board Steamer Glencoe, charges and salvages paid thereon, and that portion of the property bro't to New Orleans in charge of the Clerk of the Patriot ~~ The remaining Cargo saved is now near the mouth of the Sandy and at Paducah, and the Master has arrived here to procure the necessary funds and conveyance to return and get the balance of Cargo out of the possession of the Salvors ~ Part of the Materials of the boat have also been saved ~ most of the Cotton saved, was floated down the river abt. Seven miles, by means of rafts made by connecting the bales of Cotton together, for the purpose of finding a suitable place to land same ~~ The Cotton lost overboard by the breaking of the Starboard guard was mostly recovered and taken out of the hands of Salvors by paying the charges on same~

and the said D.F. Rudd further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Steam Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Steamer Patriot or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And

thereupon the said David F. Rudd doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, strandings, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamboat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer the owner or owners of the said Steamboat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steam Boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said D.F. Rudd his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Eleventh day of April in the year of our Lord one thousand eight hundred and forty-six in the presence of James Gardiner and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

J.W. Gardiner

Daniel T. Rudd, Master

William Shannon

Rufus Ford, Clerk

X Frank Casey

G.R. Stringer
Notary Public

A-482

State of Tennessee }
County of Henry } To Wit:

By this Public Instrument of Protest Be it Known & made manifest to all to whom these presents shall come or may in anywise concern that on the 25th day of March in the Year of our Lord Eighteen Hundred & forty-six before me Colby Randle, a Justice of the Peace in & for the State & County aforesaid, duly commissioned & qualified Came D.F. Rudd acting Master or Captain of the Steam Boat called the Patriot, about [left blank] feet in length and [left blank] feet in width and carrying three Hundred & fifty tons; And also came James R. Rogers the Pilot, Simon F. Wicks, Mate, Joseph Kelly 2nd Mate, Abram D.G. Consuel 2nd Clerk, Alexander Gazer & John Berry, Deck Hands & Enos Shillito, Engineer~ All of and belonging to said Boat, who being severally sworn, according to Law & declare the truth deposes & said that said Boat departed from the Florence Landing on the Tennessee River in the County of Lauderdale in the State of Alabama on the 19th day of March in the Year 1846 ~ Lading with Eighteen Bales of Cotton & proceeded on the trip down and took in at different Landings, cotton amounting in all to 1096 Bales Shipped by sundry shippers and consequence to sundry consignees~~ Then under the command of the said D.F. Rudd who is an experienced & skillful Commander, bound for the Port of New Orleans in the State of Louisiana. That when the Boat departed aforesaid, She was Staunch, tight & strong, well manned and equipped for the voyage. That they proceeded on the [voyage?] without unnecessary delay, deviation, or accident, until the 22nd Day of March 1846

when at or about the place called Lewis Island in the Tennessee River, about four miles above the mount of the Sandy, Said boat ran upon the bar at the upper end of said Lewis Island. The water falling very fast, and could not be got off, the weight of the Cargo breaking the Boat as the water subsided & left her on the Bottom. That every exertion in the power of said D.F. Rudd as Master or Captain of Said Boat, and of the Crew under his command, to arrive and prevent said accident, was made by which aforesaid accident said Boat was tore [*sic*] & sunk and her Cargo above described slightly damaged. That as soon as possible after this accident & loss occurred the said Master & Crew procured assistance and exerted all the means within their reach to recover and save the Cargo, Engine & furniture of said Boat for the benefit of whom it might concern. Said, therefore, the appearers and especially the said D.F. Rudd, acting Master as aforesaid on Boat. And I the said Colby Randle, Justice of the Peace aforesaid at their request with them do solemnly & publicly protest against the wind & waves & the dangers of the Rivers Generally, and especially against the aforesaid accident as the cause of all the loss and damages in the premises & have not found negligence or mismanagement is or might be ascribed to the said Appearers, and any part of the Steam Boat Crew or Company ~~ Done and Protested at the month of and on the Day & year first above written, the protesters signing their names with me the said Colby Randle Justice of Peace.

Signed

David F. Rudd, Master

James R. Rogers, Pilot

S. F. Wicks, Mate

Joseph Kelly 2nd Mate

Abram D.G. Consuel 2nd Clerk

X Alexander Guyer Deck Hand

John Berry Deck Hand

Enos Shillito,1st Engineer

C. Randle, Justice of Peace for Henry County, Tennessee

No: 206

April 17th 1846

Protest of

Flat Boat

Mary

503

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Seventeenth day of April in the year of our Lord one thousand eight hundred, and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans,** State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Ratliff B. Lane, Master of the Flat Boat called the Mary, and declared that on the 12th day of April inst. he noted in due form of law with Ira Ballard, Justice of the Peace in and for the Parish of Concordia, State of Louisiana his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Ratliff B. Lane and requires me to extend his Protest, and together with the said Lane also come Richard Freeman Franklin J. Bullett Isaiah Sprinkle, hands

belonging to the aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday 24th day of March last past

he, the said Lane departed in and with the said Flat Boat as Master thereof from Evansville, Ind. on the Ohio River.

having on board the said Boat a cargo of Corn.

and bound for the Port of New Orleans, La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~the~~ the voyage she was about to undertake:

Left port as above stated and proceeded on their course down the Ohio with no accident occurring until her arrival in the Mississippi near the mouth of Red River, when they experienced very rough rainy weather, together with a high wind, causing a heavy swell, — Put in for shore and secured the boat at about 6 O'clock P. M. at Ruth's Point, intending to remain for the night, or until they could proceed with safety to the property

on board — During the first part of the night Several Steam Boats passed near the Flat Boat causing a very bad Swell, during which time at abt. Two Oclock P.M. first discovered that the boat was making water very freely, supposed to have been caused by her striking some hidden substance under water — Immediately made all exertion to find the leak, but without success — also manned the Pumps to endeavor to free her, but found it absolutely impossible to keep her from filling, and the boat soon after sunk to her roof, where she now remains in a wrecked condition the Cargo all under water

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather,** ~~Seas,~~ Snags, Cakrge

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus done and Protested, at my office in the City of NEW ORLEANS, this Seventeenth day of April in the year of our Lord one thousand eight hundred and forty-Six in the presence of Wm Shannon and James Gardner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

J. W. Gardner

K B Lane

his
Richard x Freman
mark

Franklin D. Bullett
by

his
Isaiah x Sprinkle
mark

R. Pike

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Seventeenth day of April in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Ratliff B. Lane, Master of the Flat Boat called the Mary, and declared that on the 12th day of April inst. he noted in due form of law with Ira Ballard, Justice of the Peace in and for the Parish of Concordia, State of Louisiana, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Ratliff B. Lane and requires me to extend his Protest, and together with the said Daniel Fisher also come Richard Freeman, Franklin D. Bullett, Isaiah Sprinkle, hands belonging to the aforesaid Flat Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday 24th day of March last past, he, the said Lane departed in and with the said Flat Boat as Master thereof from Evansville, Ind. on the Ohio River having on board the said Boat a cargo of Corn, and bound for the Port of New Orleans that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Left port as above stated and proceeded on their course down the Ohio with no accident occurring until her arrival in the Mississippi near the mouth of Red River, when they experienced very rough rainy weather together with a high wind, causing a heavy swell, ~ Put in for shore and secured the boat at about 6 O'clock P.M. at Ruth Point intending to remain for the night or until they could proceed with safety to the property on board ~~ During the first part of the night several Steam Boats passed near the Flat Boat causing a very bad swell, during which time at about Two O'clock P.M. first discovered that the boat was making water very freely, supposed to have been caused by her stiffing some hidden substance under water. Immediately made all exertion to find the leak, but without success~ also manned the pumps to endeavor to free her, but found it absolutely impossible to keep her from filling and the boat soon after sunk to her roof, where she now remains in a wrecked condition, the cargo all under water,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, snags, leaks, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make

contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this seventeenth day of April in the year of our Lord one thousand eight hundred and forty-six in the presence of William Shannon and James Gardiner both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon		R.B. Lane
J.W. Gardiner	X	Richard Freeman
		Franklin D. Bullett
		Isaiah Sprinkle

G.R. Stringer
Notary Public

No. 216

April 22nd 1846

Protest of

Flat Boat

Number Two

525

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twentysecond day of April in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Daniel Fisher, Master of the Flat Boat called the Number Two and declared that on the Ninth day of April 1846 he noted in due form of law with Henry Hess Notary Public in the County of Wabash, State of Illinois his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Daniel Fisher and requires me to extend his Protest, and together with the said Daniel Fisher also come

belonging to the aforesaid Flat Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday the Thirty first day of March last past,

he, the said Daniel Fisher departed in and with the said Boat as Master thereof from Montezuma, on the Wabash River, Ind.

having on board the said Boat a cargo of Merchandise

and bound for the Port of New Orleans, La.

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well [redacted], manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for [redacted] the voyage she was about to undertake:

Departed from her port of loading as above written, and proceeded down the Wabash river without any detention or delay until the 4th day of April following when they arrived at a place called the Hanging Rock, and while endeavoring to pass over, the boat struck the rock, and remained fast — made all exertion to get her off, and the river having commenced rising succeeded on the 8th of April in getting her afloat, — Proceeded again on their course, about one quarter of a mile further in the Rapids, when the boat again struck very Dad-

denly, some hidden substance, and passed over it, causing a heavy jarring of the boat — Tried the pumps but found the boat apparently tight, and continued on about two miles further, when the boat was hauled in, at all midnight and secured alongside of the bank to wait for a rise of water — Continued using the pumps as occasion required during the night, and towards day break on the 9th April, discovered that she was leaking very freely — Manned the Pumps immediately, and commenced searching for the leak, but could not find it, and as the Boat was filling rapidly, engaged all the extra hands about the place of her disaster, to assist them in saving property — Got out part of her Cargo, (more or less damaged) and put it in a place of safety, on shore; after which the boat sunk, below her roof, with the balance of Cargo on board, consisting of bulk wheat, in part, and some Flax seed and wheat in Casks — The Master sold a small portion of the Cargo to raise funds to pay for hire of men and other expenses; the balance of Cargo saved he reshipped per Steamer Elk as far as Evansville Ind, where he landed it in store, and finally reshipped it on board the Steamer Cincinnati, ~~and~~ proceeded on with the property, ~~and~~ arrived at New Orleans, and delivered the same to the Consignees — The hands of the

State of Illinois, County of Wabash

Be it remembered that on this ninth day of April 1846 before me the undersigned a Notary Public in and for the County of Wabash duly appointed, commissioned and qualified and residing at Mount Carmel in said County, came in their own proper persons, Daniel Fisher, Master and Stephen Parker and Isaac Gray, common working hands or Sailors, of the Flat Boat called and known as No Two, who being first duly sworn did depose and say, That said Flat Boat is from Montezuma, on the Wabash River in the County of Park and State of Indiana, in length Sixty Seven feet and in breadth Eighteen feet; that she sailed from Montezuma aforesaid, with a Cargo of two hundred and Seventy Seven Barrels of wheat: five Pieces of Wheat: two Pieces of Flax Seed; one Barrel of Beans; thirteen hundred and fifty Bushels of wheat in Buck; two Barrels of Beef: Four Barrels of flour and Forty eight Barrels of Flour, on the thirty first day of March 1846 well manned and perfectly Seaworthy bound for New-Orleans in the State of Louisiana that she proceeded Safely on her Voyage until she arrived at the Hanging Rock, at the head of the Grand Rapids of the Wabash River, where on the fourth day of April A. D. 1846 at about nine O. clock A. M. of said day while descending the said River in apparent Safety she struck on a Rock in the channel of the Ripple or Rapids at the Hanging Rock, where said Boat stuck fast and without receiving any injury to our Knowledge, the River falling at the time said Boat remained on the Rapids until the 8th day of April 1846; at 10 O. clock P. M. of last mentioned day the River rising said Boat was removed there being no immediate opportunity of landing until the Rapids were passed; while descending the River about a fourth of a mile from where the Boat had laid on the Rock, all hands on Board being at their proper places and able to manage said Boat efficiently she struck either a Rock, Snag or Log and passed over jarring the Boat considerably, but not apparently injuring it to any considerable

me hidden Substance and Pressed on

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extent She proceeded on until the Rapids were passed at
two miles from where she struck the last time. During the
of the 8th and after said Boat was lanced, the water was
pumped out, but about 6 O. clock A. M. of the 9th I being
ascertained that all further efforts were unavailable to se
said Flat Boat or Cargo in full, after taking out of the
as much of the Cargo as time permitted, and using all e
gence to secure as much of the same as was possible, we
sisted in our efforts to save the Boat and the balance
her Cargo, and in about three hours afterwards she sa
to the Roof in water about 1½ feet deep next to the Sh
where she has been landed.

Now
And the said Master pr
against all and every person or persons whosoever, wh
may concern, and declares that all damages that said
Boat or her Cargo may have Sustained is wholly owi
to the unavoidable accident of her Striking on the
Snag or Log aforesaid, and in no manner or degree
defect in said Boat or her equipments for said voya
or to any neglect, incapacity or default of her maste
Officers or Crew.

Sworn to and subscribed this ninth day of April 1846 before me

Daniel Foste
Stephen Parke
his
Isaac x Gray
mark

In testimony whereof I have hereunto subscrib
my name and affixed my Seal Nota
at Mount Carmel the day and da
above written.

Henry Ries
Notary Public

aforementioned Flat Boat No 2. Stephen Parker and Isaac Gray, signed the note of Protest made by Henry Stees, Notary, and after having assisted in saving and securing property, were settled with for their extra labor and returned home, the Master only coming to this City with the property —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Fire~~, Leaks, detention &c**

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Twenty Second day of April in the year of our Lord one thousand eight hundred and forty-Six in the presence of James Gardiner and William Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

J. Gardiner

William Shannon

Daniel Fisher

No. 216, April 22nd 1846 525
Protest of
Flat Boat
Number Two

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Twenty-second day of April in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Daniel Fisher, Master of the Flat Boat called the Number Two and declared that on the Ninth day of April 1846, he noted in due form of law with Henry Stees Notary Public in the County of Wabash, State of Illinois, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Daniel Fisher and requires me to extend his Protest, and together with the said Daniel Fisher also come [no names listed], belonging to the aforesaid Flat Boat: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Tuesday the Thirty-first day of March last past, he, the said Daniel Fisher departed in and with the said Boat as Master thereof from Montezuma, on the Wabash River, Ind., having on board the said Boat a cargo of Merchandise, and bound for the Port of New Orleans that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Departed from her port of loading as above written and proceeded down the Wabash river without any detention or delay until the 4th day of April following when they arrived at a place called the Hanging Rock, and while endeav'ing to pass over, the boat struck the rock, and remained fast.~ Made all exertion to get her off, and the river having commenced rising succeeded on the 8th of April in getting her afloat,~ Proceeded again on their course, about one-quarter of a mile further in the Rapids, when the boat again struck very suddenly some hidden substance, and passed over it, causing a heavy jarring of the boat ~~ Tried the pumps but found the boat apparently tight, and continued on about two miles further, when the boat was hauled in at Midnight and secured alongside of the bank to wait for a rise of water ~~ continued using the pump as occasion required during the night, and towards day break on the 9th April, discovered that she was leaking very freely~~ Manned the pumps immediately, and commenced searching for the leak, but could not find it, and as the Boat was filling rapidly, engaged all the extra hands about the place of her disaster to assist them in saving property ~ Got out part of her Cargo (more or less damaged) and put it in a place of safety, on shore; after which the boat sunk, below her roof, with the balance of Cargo on board, consisting of bulk wheat, in part, and some Flax seed and wheat in casks~~~ The Master sold a small portion of the Cargo to raise funds to pay for line of men and other expenses; the balance of Cargo saved he reshipped per Steamer Elk as far as Evansville, Ind. where he landed it in store, and finally reshipped it on board the Steamer Cincinnati; proceeded on with the property, arrived at New Orleans, and delivered the same to the consignees ~~ The hands of the [526] aforementioned Flat Boat No. 2, Stephen Parker and Isaac Gray, signed the note of Protest made by Henry Stees, Notary, and after having assisted in saving and securing property, were settled with for their extra labor and returned home, the Master only coming to this City with the property~~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Leaks, detentions, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Twenty-second day of April in the year of our Lord one thousand eight hundred and forty-six in the presence of James Gardiner and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

J.W. Gardiner

Daniel Fisher

William Shannon

G.R. Stringer
Notary Public

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State of Illinois, County of Wabash

Be it remembered that on this ninth day of April 1846 before the undersigned a Notary Public in and for the County of Wabash duly appointed, commissioned and qualified and residing at Mount Carmel in said County, came in their own proper persons Daniel Fisher, Master and Stephen Parker and Isaac Gray, common working hands or Sailors of the Flat Boat called and known as No. Two, who being first duly sworn and depose[d] and say, That said Flat Boat is from Montezuma on the Wabash River in the County of Park and State of Indiana, in length Sixty-seven feet and in breadth Eighteen feet; that she sailed from Montezuma aforesaid, with a Cargo of two hundred and seventy-seven Barrels of wheat; five tierces[1] of wheat; two tierces of Flax seed; one Barrel of Beans; thirteen hundred and fifty Bushels of Wheat in Buck; two Barrels of Beef; Four Barrels of flour and Forty-eight Barrels of Flour on the thirty-first day of March 1846, well-manned and perfectly seaworthy bound for New Orleans in the State of

[1] An old measure, usually in a cask or barrel, equivalent to 42 liquid gallons.

Louisiana, that she proceeded safely on her voyage until she arrived at the Hanging Rock, at the head of the Grand Rapids of the Wabash River where, on the fourth day of April A.D. 1846 at about nine O'clock A.M. of said day while descending the said River in apparent safety she struck on a Rock in the channel of the Ripple or Rapids at the Hanging Rock, where said boat stuck fast without receiving any injury to our knowledge; the River falling at the time said Boat remained on the Rapids until the 8th day of April 1846 at 10 O'clock P.M. of last mentioned day; the River rising said Boat was removed there being no immediate opportunity of landing until the Rapids were passed; while descending the River about a fourth of a mile from where the Boat had laid on the Rock, all hands on Board being at their proper places and able to manage said Boat efficiently, she struck either a Rock, Swag, or Log and passed over jarring the Boat considerably; but not apparently injuring it to any considerable extent she proceeded on until the Rapids were passed about two miles from where she struck the last time. During the night of the 8th and after said Boat was landed, the water was pumped out, but about 6 O'clock A.M. of the 9th it being ascertained that all further efforts were unavailable to save said Flat Boat or Cargo in full, after taking out of the Boat as much of the Cargo as time permitted, and using all diligence to secure as much of the haul as was possible, assisted in our efforts to save the Boat and the balance of her Cargo, and in about three hours afterwards she sunk to the roof in water about 4 ½ feet deep, went to the shore where she had landed.

And now the said Master protests against all and every person or persons whosoever, who may concern, and declares that all damages that said Boat or her Cargo may have sustained was wholly owed to the unavoidable accident of her striking on the Rock, Swag, or Log aforesaid, and in no manner or degree to defect in said Boat or her equipments for said voyage or to any neglect, incapacity or default of her Master, Officers, or Crew.

Sworn to and subscribed this ninth day of April 1846 before me

Daniel Fisher

Stephen Parker

X Isaac Gray

In testimony whereof I have hereunto subscribed my name and affixed my Seal Notary at Mount Carmel the day and so above written.

{SEAL}

Henry Stees
Notary Public

No: 264

May 5th 1846

Protest of

Brig Plymouth

24

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Fourth day of May in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans**, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Thomas A. Brewer Master of the Brig called the Plymouth

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned:

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Thomas A Brewer and requires me to extend his Protest, and together with the said Thomas A Brewer also come Ezra Leonard Sailing Master of said Brig, Henry Thompson, William Johnson, Seamen, and Charles L Willcomb Mate,

belonging to the aforesaid Brig all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday the 20th day of April last past,

he, the said Thomas A Brewer departed in and with the said Brig Plymouth as Master thereof from Vera Cruz,

having on board the said Vessel ~~a cargo of~~ Ballast

and bound for the Port of New Orleans, La,

that the said Brig Plymouth, was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got underway on the day and date as above written and proceeded out of the harbour with Pilot on board – Had fresh breezes from E.N.E. and pleasant weather – At noon the Light house on the Castle bore South by East distance five miles – Sunday 21st had light winds from same quarter – Latter part of this day calm – 22nd Light breezes from N.E.N.W. and fair weather – 23d Wind East weather pleasant – 24th Fresh breezes from E.S.E. – weather pleasant – 25th much the same – Sunday 26th Commences with northerly winds and cloudy weather – At 2 P.M. wind hauled to the N.N.E. – first part of the

night calm with every appearance of squally weather
At 2. A.M. Experienced a squall from the North
— shortened sail — day ends with strong Easterly
winds — S.W. Pass Light House bore N.E. 1/2 N.
by Compass abt. 76 miles by observation — Lat. 28.
40. Longitude 90.10 West — Monday 27th April
Commences with fresh gales of wind from the East and
cloudy weather — At 1 O'clock P.M. the water commence
coloring, and at 4. P.M bent the Cables and got the
Anchors off the bows — Towards night the wind blew
heavily and continued increasing; took in Top gal-
-lant Sails, Mainsail and double reefed the Top Sails.
At 11. P.M. Captain Leonard (who was then on
deck in Command) having run his distance
out (steering two points to the windward of his course
in order to make allowance for a lee current) did
not make the light at the S.W. Pass as expected
and accordingly kept off to the Northward, to
Endeavor to make the light and after running
about three miles further the Vessel suddenly
took the bottom on a Shoal at a place since as-
-certained to be Shell reef about 25 miles from
the S.W. Pass at the Mouth of the Mississippi
River — Immediately after the Brig struck Every
exertion was made to heave the Brig to get her off
shore — The Master being then on deck ordered the
Helm to be put hard down, and backed all sail to
force her off, but without success — Started nearly
all of their water Casks, their overboard ballast, and
Pumped the Vessel free in order to lighten her — also
let go the best bower anchor to bring her head to the
wind — during the night continued their best
exertions to get the Vessel off, but finding them of no
avail, towards morning made signal for assistance
and filled said Vessel thumping heavily and drifting
with the rolls of the Sea further on to the Shore —

Soon after the gale commenced increasing from the Eastward, causing a large Sea - Vessel striking heavily - discovered pieces of sheathing coming up along side - At 11 A.M. hove up anchor, set Mainsail, Topsails and Topgallant Sails, to endeavor to back her off, but the sea kept forcing the vessel further on, rendering all endeavors to get her afloat entirely useless - At noon carried out the Kedge from aft to endeavor to heave her round should the wind moderate - day ends with strong gales from the Eastward, Brig thumping very hard and nearing the bank - Tuesday 28 Vessel lay as before. Had strong nauseating gales of wind and misty weather - furled all sails - Vessel thumping as before - At 3 P.M. experienced a complete hurricane, attended with very high sea, which forced the Brig further on shore - parted her Hawser, and lost Kedge - Pumps strictly attended to as occasion required - Midnight gale abated some with a heavy sea on, Vessel going still nearer the shore - At 2 A.M. the Vessel lay within about two rods from the shore thumping continually - Soon after the gale came on blowing tremendously and continued so throughout the night - On the following morning finding all attempts to save the Vessel of no effect, and the weather having moderated, the Master proceeded to the S.W. Pass, procured the Steam Boat Alton which came within a short distance of the wreck and anchored after which the Pilot and Master of said Boat came on board, sounded round the Plymouth, examined into her condition &c and gave it as their opinion that all attempts to get her off would be unavailing, and the Captain

of the Alton stated that he should require Two Thousand dollars to make the attempt to get her off whether he succeeded or not, which after mature deliberation the Master of the Plymouth determined would not be for the interest of all concerned to make such an additional expense, and he accordingly deemed it advisable to abandon her immediately after saving her material, such as sails, rigging anchors, chains &c which were conveyed on board the Alton and brot to this City on the 31 May following — And the said appearer further declare that every exertion possible has been made to save the vessel, and that she was not abandoned until all hope of saving her was past

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Stranding &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Fifth day of May in the year of our Lord one thousand eight hundred and forty six in the presence of Martin J. Digby and William Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

Thos A Brewer

Martin Jos. Digby

Ezra Leonard

Henry Thompson

his
William + Johnson
mark

R Stinger

Charles L. Willcomb

with the crew of the ship

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fourth day of May in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Thomas A. Brewer, Master of the Brig called the Plymouth and noted in due form of law with me said notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Thomas A. Brewer and requires me to extend his Protest, and together with the said Thomas A. Brewer also come Ezra Leonard, Sailing Master of said Brig; Henry Thompson, William Johnson, Seamen; and Charles L. Willcomb, Mate belonging to the aforesaid Brig all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Monday the 20th day of April last past, he, the said Thomas A. Brewer set sail and departed in and with the said Brig Plymouth as Master thereof from Vera Cruz having on board the said Vessel Ballast, and bound for the Port of New Orleans, that the said Brig Plymouth was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Got underway on the day and date as written and proceeded out of the harbour with Pilot on board ~ Had fresh breezes from E.N.E. and pleasant weather ~ At noon the Light house on the Castle bore South by East distance five miles~ Sunday 21st had light winds from same quarter ~ Latter part of this day calm ~ 22nd Light breezes from N.N.W. and fair weather ~ 23rd Wind East, weather pleasant ~ 24th Fresh breezes from E.S.E. ~ weather pleasant~~ 25th much the same ~ Sunday 26th Commences with northerly winds and cloudy weather ~ At 2 P.M. winds hauled to the N.N.E. ~ first part of the night calm with every appearance of squally weather. At 2 A.M. experienced a squall from the North ~ shortened sail ~ day ends with strong easterly winds ~ S.W. Pass Light House bore N.E. ½ N by compass abt. 76 miles by observation ~ Lat. 28.10, Longitude 90.10 West ~ Monday 27th April commences with fresh gales of wind from the East, and cloudy weather~ At 1 O'clock P.M. the water commences coloring, and at 4 P.M. bent the Cables, and got the Anchors off the bows ~ Towards night the wind blew heavily and continued increasing; took in Topgallant sails, Mainsail and double reefed the Topsails. At 11 P.M., Captain Leonard (who was then on deck in command) having run his distance out (steering two points to the windward of his course in order to make allowance for a lee current) did not make the light at the S.W. Pass as expected and accordingly kept off to the Northward to endeavor to make the light and after running about three miles further the Vessel suddenly took the bottom on a Shoal at a place, since ascertained to be Shell reef about 25 miles from the S.W. Pass at the mouth of the Mississippi River ~ Immediately after the Brig struck, every exertion was made to relieve the Brig to get her off shore~ The Master being then on deck ordered the Helm to be put hard down, and tacked all sail to force her off but without success ~ started nearly all of their water casks, their overboard ballast, and pumped the Vessel free in order to lighten her ~ Also let go the best bower anchor to bring her head to the wind ~ during the night continued their best exertions to get the Vessel off but finding them of no avail, toward morning made signal for assistance and furled sails, Vessel thumping heavily and drifting with the rolls of the sea further on to the shore ~~ [25] Soon after the gale commenced increasing from Eastward, causing a larger sea ~ Vessel striking heavily ~ discovered

pieces of sheathing coming up alongside ~ At 11 A.M. hove up anchor, set Mainsail, Topsails and Topgallant sails to endeavor to back her off, but the sea kept forcing the Vessel further on, rendering all endeavors to get her afloat entirely useless~ At noon carried out the Kedge from aft to endeavor to heave her round should the wind moderate—day ends with strong gales from the Eastward. Brig thumping very hard and nearing the bank—Tuesday 28 Vessel lay as before. Had strong increasing gales of wind and misty weather—fouled all sails~ Vessel thumping as before~ At 3 P.M., experienced a complete hurricane, attended with very high sea, which forced the Brig further on shore~ parted her Hawser, and lost Kedge~ Pumps strictly attended to as occasion required~ Midnight gale abated some with a heavy sea on Vessel going still nearer the shore~ At 2 A.M. the Vessel lay within about two rods from the shore thumping continually~ Soon after the gale came on blowing tremendously and continued so throughout the night~ On the following morning finding all attempts to save the Vessel of no effect, and the weather having moderated, the Master proceeded to the S.W. Pass, procured the Steam Boat Alton which run [*sic*] within a short distance of the wreck and anchored, after which the Pilot and Master of said Boat came on board, sounded round the Plymouth, examined into her condition &c and gave it as their opinion that all attempts to get her off would be unavailing, and the Captain of the Alton stated that he should require Two Thousand dollars to make the attempt to get her off, whether he succeeded or not, which after mature deliberation the Master of the Plymouth determined would not be for the interest of all concerned to make such an additional expense, and he accordingly deemed it advisable to abandon her immediately after saving her materials, such as Sails, Rigging, anchors, chains, &c which were conveyed on board the Alton and brought to this city on the 31st May following ~ And the said Appearers further declare that every exertion possible has been made to save the Vessel, and that she was not abandoned until all hope of saving her was past,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Sixth day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of Martin J. Digby and William Shannon, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon		Thomas A. Brewer
Martin Jos. Digby		Ezra Leonard
		Henry Thompson
	X	William Johnson
		Charles L. Willcomb

G.R. Stringer
Notary Public

No. 267

May 6th 1846

Protest of

Schooner

Bella del Mar

22

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Fourth day of May in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth Before Me, Lucien Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of New Orleans, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, L. W. Randall, Master of the Schooner called the Bella del Mar and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned;

and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Randall and requires me to extend his Protest, and together with the said Randall also come S. G. Randall, Mate, Charles E. Lodge, Lesta Davis and Charles Johnson Seamen,

belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Sunday the 22 March last past he, the said L. W. Randall departed in and with the said Schooner as Master thereof from Aransas Bay

having on board the said Schooner a cargo of Government Stores

and bound for the Port of Brasos de Santiago –

that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Got underway and proceeded out over the Bar in tow of Steamer Monmouth and soon after anchored in five fathoms water – At 3 P.M. Monday 23. (Sea time) again got ready with a fine breeze from N.W. and stood out for sea – At 4 P.M. Aransas Bay bore North distant 4 miles – Tuesday 24th Had strong gales from the North – at 2 P.M made the bar of Brasos de Santiago and stood

off and on for a Pilot — day Ends with very strong gales from the North — Wednesday 25th Commences light breezes Wind N.E. by N. Middle part pleasant — At 3 P.M. Pilot came on board and took charge of Vessel — Soon after stood in over the Bar, and while proceeding on the regular course the Vessel suddenly took the bottom and immediately after fell off and struck again on the South breaker, where she remained fast, — The Steamer Cincinnati came alongside made fast to the Schooner Hawser and commenced towing her, in order to force her off shore, and while so doing, the Steamer also got aground, and was compelled to cut the Hawser for her own Safety — Lay on shore during the night without being able to obtain further assistance, the Vessel at this time unmanageable, having beaten across the inner breakers, and become imbedded in the Duck-Lands — Vessel leaking badly, and Pumps constantly attended to, to prevent the Vessel from filling — 26th March, Commence, with a heavy Surf — Captain Randall left the Schooner to procure assistance, but the weather having come on very boisterous could not get out any Anchors, and accordingly commenced saving Property; got out about 100 Barrels Potatoes, with some Corn and oats, which were Put on the Beach — Pumps strictly attended as occasion required, — Friday 27th March — Had a heavy

Quell, three boats with extra hands Employed ~~with Ext~~ Carrying out anchors & Placed three Chains with Anchors outside the Breakers in 14 feet water (being 250 fathoms from the Vessel) and bent the Hawsers to the End of the Chains to endeavor to force the Vessel off, but without success. — Saturday 28th March experienced a heavy squall at 6 P.M. and soon after a very heavy Norther Came on blowing tremendously, causing a heavy Sea, and the Schooner thumping badly, Shipping large quantities of water on her decks — March 29th Had heavy gales, the Sea breaking entirely over the Schooner, 30th Had a gale from the North, Sea running high, Vessel leaking badly, and pumps attended to, — 31st Employed men discharging Cargo, part in a damaged Condition — 1st April landed Lime Cargo, men Employed trying to heave the Vessel off, — Pumps attended to — April 2d, 3d, 4th much the same, men Employed as before — 5th April, wind Commenced from N.E. attended with Rain & Schooner Commenced working in her bed & Employed about 20 men to heave on the windlass &c. — at 2 P.M. desisted from further efforts, the Sea running so high — At 3 A.M. the tide suddenly rose on the beach, sweeping away & damaging all the Cargo landed from the wreck — at this time the Vessel was leaking badly, and the Sea breaking over her — From this latter date up to 21st April, Continued all exertion in their power to save the Vessel parted Hawsers, lost chains & anchors, which became

imbedded and buried in the Sand, and finding the Vessel bilged, and in a very wrecked condition, it was deemed advisable to call a Survey, of proper persons to examine into her condition, which was accordingly done, consisting of three Shipmasters, who reported the Vessel in such condition as to warrant the Master to abandon, and he accordingly, ~~afte~~ commenced Stripping and saving all the Materials which were saved, and the Vessel and Materials sold to the best advantage —

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Stranding, Leakage

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Vessel or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

THUS DONE AND PROTESTED, at my office in the City of NEW ORLEANS, this Sixth day of May in the year of our Lord one thousand eight hundred and forty-six and Martin J. Digby — in the presence of Wm Shannon both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon
Martin J. Digby
R. Stringer
R. Hall

S. W. Randall
S. G. Randall
Charles E. Lodge
Ester Davis
Charles Johnson

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Fourth day of May in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared S.W. Randall, Master of the Schooner called the Bella del Mar, and noted in due form of law with me said notary his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Randall and requires me to extend his Protest, and together with the said Randall also come S.G. Randall, Mate, Charles E. Lodge, Lester Davis, and Charles Johnson, Seamen, belonging to the aforesaid Schooner all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Sunday the 22 March last past, he, the said S.W. Randall set sail and departed in and with the said Schooner as Master thereof from Aransas Bay having on board the said Schooner a cargo of Government Stores, and bound for the Port of Brasos de Santiago, that the said Schooner was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the sea and the voyage she was about to undertake:

> Got underway and proceeded out over the Bar in tow of Steamer Monmouth and soon after anchored in five fathoms water. At 3 P.M. Monday 23 (Sea time) again got ready with a fine breeze from N.W. and stood out for sea ~ At 4 P.M. Aransas Bar bore North distant 4 miles ~ Tuesday 24th Had strong gales from the North ~ at 2 P.M. made the bar of Brasos de Santiago and stood off and on for a Pilot ~ day ends with very strong gales from the North ~ Wednesday 25th commences light breezes. Wind N.E. by N. Middle part pleasant ~ at 3 P.M. Pilot came on board and took charge of Vessel ~~ Soon after stood in over the Bar, and while proceeding on the regular course the Vessel suddenly took the bottom and immediately after fell off and struck again on the South breakers, where she remained fast, ~ The Steamer Cincinnati came alongside made fast to the Schooner Hawser and commenced towing her in order to force her off shore, and while so doing, the Steamer also got aground, and was compelled to cut the Hawser for her own Safety ~ Lay on shore during the night without being able to obtain further assistance, the Vessel at this time unmanageable, having beaten across the inner breakers, and become imbedded in the Quicksands ~ Vessel leaking badly, and pumps constantly attended to, to prevent the vessel from filling ~ 26th March, commence[d] with a heavy surf ~ Captain Randall left the Schooner to procure assistance, but the weather having come on very boisterous could not get out any anchors, and accordingly commenced saving property; got out about 100 Barrels Potatoes, with some corn and oats, which were put on the Beach ~ Pump strictly attended as occasion required, ~ Friday 27th March ~ Had a heavy [33] swell, three boats with extra hands employed carrying out anchors ~ Placed three chains with anchors outside the Breakers in 14 feet water (being 250 fathoms from the Vessel) and bent the Hawser to the end of the chains to endeavor to force the Vessel off, but without success. Saturday 28th March experienced a heavy squall at 6 P.M. and soon after a very heavy norther came on blowing tremendously, causing a heavy sea and the Schooner thumping badly, shipping large quantities of water on her decks ~ March 29th Had heavy gales, the sea breaking entirely over the Schooner, 30th Had a gale from the North sea running high, vessel leaking badly, and pumps attended to, ~ 31st employed men discharging cargo, parting in a damaged condition ~ 1st

April landed some cargo, men employed trying to heave the Vessel off, ~ Pumps attended to ~ April 2nd, 3rd, 4th much the same, men employed as before ~ 5th April, wind commenced from N.E. attended with Rain ~ Schooner commenced sinking in her bed ~ Employed about 20 men to heave on the windlass, &c ~ at 2 P.M. desisted from further efforts, the sea running so high ~ At 3 A.M. the tide suddenly rose on the beach sweeping away or damaging all the Cargo landed from the wreck ~ at this time the vessel was leaking badly and the sea breaking over her ~ From this latter date up to 21st April, continued all exertion in their power to save the vessel, parted Hawser, lost chains & anchors, which became imbedded and buried in the Sand, and finding the Vessel bilged, and in a very wrecked condition, it was deemed advisable to call a survey of proper persons to examine into her condition, which was accordingly done, consisting of their Shipmaster, who reported the Vessel in such condition as to warrant the Master to abandon, and he accordingly commenced stripping and saving all the materials &c which were saved, and the Vessel and materials sold to the best advantage~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Vessel or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Stranding, Leaks, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Vessel or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Vessel the owner or owners of the said Steamer or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Vessel or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Sixth day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and Martin J. Digby, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

Martin Jos. Digby

S.W. Randall

S.G. Randall

Charles E. Lodge

Lester Davis

Charles Johnson

G.R. Stringer
Notary Public

No. 273

May 7th 1846

Protest of

Steam Boat

Swallow

44

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Seventh day of May in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of New Orleans, State of Louisiana, duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** John Cochrane, Master of the Steam Boat called the Swallow, and declared that on the 27th day of February last past he noted in due form of law with Wilson Bennis, Justice of the Peace, in Conway County, Arkansas his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said John Cochrane and requires me to extend his Protest, and together with the said John Cochrane also come Joshua Smith and Joseph McBennett Pilots,

belonging to the aforesaid Steamer all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Wednesday the 31st day of December 1845.

he, the said John Cochrane departed in and with the said Steam Boat Swallow as Master thereof from New Orleans La.

having on board the said Steamer a cargo of Merchandise

and bound for the Port of Fort Smith &c on the Arkansas River,

that the said Steamer Swallow was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well [redacted], manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for [redacted] the voyage she was about to undertake:

Got up steam on the day and date as above written, and proceeded up the Mississippi River, and thence into the Arkansas River without any accident occurring worthy of note until her arrival about seven miles above Lewisburg on the 23. February following at about 2 O'clock P.M. while running in the river the boat suddenly took the ground, and in backing her, in order to get off, her stern caught, causing the boat to swing round, and immediately after she struck a snag or some other

hidden hard substance, which stove a large hole on her starboard side, under the wheel, causing her to leak very badly — The master immediately ordered the boat to be rounded to and run her on to a bar, for general preservation, about two hundred yards below where she received her injury — Upon examination discovered about two feet of water in her hold, and the leak increasing very fast. Continued all exertion pumping to free her, and endeavored to stop the leaks, but without success, and the boat soon after sunk in about six feet of water, where she now remains a complete wreck — About one hour after she run on to the bar, she broke down under her boilers — And the said appearers further declare that after the disaster, when they found all efforts to keep the steamer from sinking, and had run her on shore, they instantly commenced making preparation, to save cargo, procured a lighter and extra hands, discharged cargo in her, conveyed and landed same on the bank of the river, and by such means succeeded in saving the largest portion of the cargo, all more or less damaged — After getting out all the property that could be saved, commenced opening packages and spreading the contents in the sun to dry; built warehouses and soon as dry, rebaled and boxed the goods again in the best manner possible for them to do, and put them under cover in the temporary houses built by the master and hands for that purpose; afterwards restripped them on board

Steamer, for New Orleans, where they have arrived all more or less injured and damaged — And these said appearers further declare that they have unitedly given their best efforts for the protection of the interest vested in the Cargo and boat — The whole being more or less damaged, they hired extra hands opened the boxes, Cases and Bales spread the property and dried it; made a Camp and occupied the same, watching the goods with arms in their hands; and at the risk of their lives protected it from open and secret plunder, and altho. threatened with destruction by armed ruffians banded together for plunder, kept possession and preserved the property — And the said appearers further declare that they repacked the goods in the best manner possible, but from the existing circumstances of the operation, the original packages, Bales and Cases became mixed, in their contents, so as to render it impossible to designate correctly the property as orginally shipped, All of which these appearers have accomplished under the orders of Captain Cockrane, and through the exercise of the greatest exertion ~~and~~ & exposure and personal hazard during the space of more than two months from the time of disaster.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, ~~Seas~~,** Leaks, Snags &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamer or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer the owner or owners of the said Steamer or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamer or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said John Cochrane his officers or crew.

THUS DONE AND PROTESTED, at my office in the City of NEW ORLEANS, this Seventh day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and Martin J. Digby both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. Four words Crane and Twenty two interlined before signing

William Shannon

Martin Jos: Digby

John his + mark Cochrane

Joshua Smith

P. M. Bennett

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Seventh day of May in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared John Cochrane, Master of the Steam Boat called the Swallow, and declared that on the 17th day of February last past he noted in due form of law with Wilson Bernard, Justice of the Peace in Conway County, Arkansas his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said John Cochrane and requires me to extend his Protest, and together with the said John Cochrane also come Joshua Smith and Joseph M. Bennett, Pilots, belonging to the aforesaid Steamer all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that Wednesday the 31st day of December 1845, he, the said John Cochrane set sail and departed in and with the said Steam Boat Swallow as Master thereof from New Orleans, La. having on board the said Steamer a cargo of Merchandise, and bound for the Port of Fort Smith &c. on the Arkansas River, that the said Steamer Swallow was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got up steam on the day and date above written, and proceeded up the Mississippi River, and thence into the Arkansas River without any accident occurring worthy of note until her arrival about seven miles above Lewisburg, on the 23rd February following at about 2 O'clock P.M. while running in the river the boat suddenly took the ground, and in backing her, in order to get off, her stern caught, causing the boat to swing round, and immediately after she struck a snag or some other hidden, hard substance, which stove a large hole on her starboard side, under the wheel, causing her to leak very badly ~~ The master immediately ordered the boat to be rounded to and run her onto a bar, for general preservation, about two hundred yards below where she received her injury ~ Upon examination discovered about two feet of water in her hold, and the leak increasing very fast. Continued all exertion pumping to free her, and endeavored to stop the leaks, but without success, and the boat soon after sunk in about six feet of water, where she now remains a complete wreck~ About one hour after she run onto the bar, she broke down under her boilers ~~ And the said Appearers further declare that after the disaster, when they found all efforts to keep the steamer from sinking, and had run her on shore, they instantly commenced making preparation to save Cargo, procured a Lighter and extra hands, discharged Cargo in her, conveyed and landed same on the bank of the river, and by such means succeeded in saving the largest portion of the Cargo, all more or less damaged ~~ After getting out all the property that could be saved, commenced opening packages and spreading the contents in the sun to dry; built warehouses and soon as dry, rebaled and boxed the goods again in the best manner possible for them to do and put them under cover in the temporary houses built by the Master and hands for that purpose; afterwards reshipped them on board [45] Steamer for New Orleans, where they have arrived all more or less injured and damaged ~ And these said appearers further declare that they have unitedly given their best efforts for the protection of the interest vested in the Cargo and boat ~~ The whole being more or less damaged, they hired extra hands, opened the boxes, Cases and Bales spread the property and dried it; made a Camp and occupied the same, watching the goods with arms in their hands; and at the risk of their

lives protected it from open and secret plunder, and although threatened with destruction by armed ruffians banded together for plunder kept possession and preserved the property~ and the same appearers further declare that they repacked the goods in the best manner possible, but from the existing circumstances of the operation, the original packages, Bales and cases became mixed, in their contents, so as to render it impossible to designate correctly the property as originally shipped, all of which these Appearers have accomplished under the orders of Captain Cochrane, and through the exercise of the greatest exertion, exposure and personal hazard during the space of more than two months from the time of disaster,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat~ or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Leaks, snags &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Steamer or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Steamer the owner or owners of the said Steamer or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Steamer or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Cochrane~ his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Seventh day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and Martin J. Digby, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary. (For words cleared and Twenty-four interlined before signing)

[Signed]

William Shannon	X	John Cochrane
Martin Jos. Digby		Joshua Smith
		Jos. M. Bennett

G.R. Stringer
Notary Public

No. 274

May 8th 1846

Protest of

Flat Boat

Number 12

46

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Eighth day of May in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** Stephen D. Ensinger, Master of the Flat Boat called the No 12.

and noted in due form of law with me said Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Master also come Lorenzo Haney, Charles Atchinson, John L. Baughts, George Hammond, Rufus Christy, Joseph Hammond, Granville Hale, and Edward Halsey, hands,

belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 9th day of April 1846 he, the said Master departed in and with the said Boat as Master thereof from the mouth of the Saline River, Ill.

having on board the said Boat a cargo of Corn in Sacks,

and bound for the Port of New orleans, La,

that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well ~~manned~~, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for ~~sea and~~ the voyage she was about to undertake:

Proceeded down the Ohio river after leaving the mouth of the Saline, and arrived into the Mississippi with no accident occurring up to the 28th April following when having arrived as far as Ruths Mills, about Seven miles below Grand Gulf, while running down the river, experienced a very Severe Squall of wind which continued

for some time, and the Master finding it unsafe to continue running, endeavored to make for the shore for general safety and while making for the bank of the river the said boat was suddenly swamped owing to the heavy swell, consequent upon the storm, and soon after sunk near the channel of the river, thereby becoming a total loss, the crew barely escaping with the lives, by getting on to the other flat boat belonging to the same town. And the said appearers further declare that every exertion in their power was made to save the boat and cargo, but the heavy swell caused by the squall, rendered their efforts unavailing.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said boat or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master. doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Squalls,

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done And Protested, at my office in the City of NEW ORLEANS, this Eighth day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm Shannon and Martin J. Digby both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

(Consignee) exchange before signing

William Shannon

Martin J. Digby

Stephen D. his X mark Bridger

Lorenzo Haney

Charles Atchison

John J. Baughet

Geo his X mark Hammond

Rufus his X mark Christy

Joseph his X mark Hammond

Granville his X mark Hale

Edward his X mark Halley

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Eighth day of May in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Stephen D. Ensign, Master of the Flat Boat called the Number 12 ~ and noted in due form of law with me said Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Master and requires me to extend his Protest, and together with the said Master also come Lorenzo Haney, Charles Atchinson, John J. Banghts, George Hammons, Rufus Christy, Joseph Hammond, Granville Hale, and Edward Halsey, hands, belonging to the aforesaid Boat all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 9th day of April 1846, he, the said Master departed in and with the said Boat as Master thereof from the mouth of the Saline River, Ill. having on board the said Boat a cargo of Corn in sacks, and bound for the Port of New Orleans, La. that the said Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Proceeded down the Ohio river after leaving the mouth of the Saline, and arrived into the Mississippi with no accident occurring up to the 28th April following when having arrived as far as Ruths Mills, about seven miles below Grand Gulf, while running down the river, experienced a very severe squall of wind which continued for some time, and the Master finding it unsafe to continue running, endeavored to make for the shore for general safety and while making for the bank of the river the said boat was suddenly swamped owing to the heavy swell, consequent upon the storm, and soon after sunk near the channel of the river, thereby becoming a total loss, the crew barely escaping with the[ir] lives, by getting on to the other Flat boat belonging to the same towing[?] and the said Appearers further declare that every exertion in their power was made to save the boat and Cargo, but the heavy swell caused by the squall, rendered their efforts unavailing ~~

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Squalls, and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that

no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Eighth day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of Wm. Shannon and Martin J. Digby, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon	X	Stephen D. Ensign
Martin Jos. Digby		Lorenzo Haney
		Charles Atchinson
		John J. Banghts
	X	Geo. Hammond
	X	Rufus Christy
	X	Joseph Hammond
	X	Granville Hale
	X	Edward Halsey

G.R. Stringer
Notary Public

No. 313

May 14th 1846

Protest of

Steam Boat

Express Mail

2 Copies

11

65

UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Second day of May in the year of our Lord one thousand eight hundred and forty-six and of the Independence of the United States of America, the Seventieth

Before Me, Greenbury Ridgely Stringer a NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of **New Orleans, State of Louisiana,** duly Commissioned and Sworn, **PERSONALLY CAME AND APPEARED,** John Smoker, Master of the Steam Boat called the Express Mail and declared that on the 27th April last past he noted in due form of law with Thomas Sutton, Notary in and for the Parish of Bossier State of Louisiana his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of NEW ORLEANS, aforesaid, again comes the said John Smoker and requires me to extend his Protest, and together with the said John Smoker also come

Robert Watson Pilot Steward Watson second Pilot Henry Laws Engineer, R. L. Gillett Clerk, L. T. Murdock, Second Clerk, Columbus Yeoman Steward William Cook & John Taylor Hands

belonging to the aforesaid Steamer all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Thursday the 23rd day of April 1846.

he, the said John Smoker departed in and with the said Steam Boat Express Mail as Master thereof from Port Caddo, Texas.

having on board the said Boat part of a cargo of Cotton

and bound for the Port of New Orleans, La.

that the said Steam Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well [redacted], manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for [redacted] the voyage she was about to undertake:

Got up Steam and left port on the day and date as above written and proceeded down the River with about Two Hundred Bales Cotton on board Arrived at Shreveport La. on the same day — and took on board about Twelve hundred bales additional Cargo; afterwhich departed from Shreveport on the 26th April at One

O'clock P. M. and proceeded on their regular course until about dark, when they arrived at Simmons Wood Yard, about fifty miles below Shreveport, where they lay by all night, and started again on the following morning 27th and while running her regular course down the River, having proceeded about six miles further down, the boat suddenly struck a snag or some hidden obstructions under water making a hole on her larboard side which caused her to sink (soon after) to her boiler deck, where she now remains a complete wreck, laying nearly opposite the plantation of R. C. Bates on the Red River — Immediately made all, due exertions to save property, procured the assistance of Men, from the shore, and, the whole, of the Boats Officers and Crew with these extra Hands went to work, to save Cargo. Continued their efforts for about eleven days and succeeded by great exertions

in saving a larger portion of the Cotton which was floated ashore and Carted up on the river Bank to a place of safety –

On the 9th of May it was found impossible to make any further saving of Cargo and the labor was abandoned, A part of the Boats fixtures have also been saved, but the Boat together with the principal part of her Machinery remains a hopeless wreck. – On the 10th procured transportation for the Savings and forwarded them to New Orleans

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat — or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Boat — or default of him, this deponent, his officers or crew: he now requires me, the said NOTARY, to make his PROTEST and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master — doth PROTEST, and I the said Notary, at his special interest and request, do by these presents, **publicly and solemnly protest against Winds, Weather, Seas,** Snags, Leaks &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat — or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat — the owner or owners of the said boat — or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat — or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master — his officers or crew.

Thus Done and Protested, at my office in the City of NEW ORLEANS, this Fourteenth — day of May — in the year of our Lord one thousand eight hundred and forty-six — in the presence of William Shannon and M. J. Digby — both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

William Shannon

Martin Jos. Digby

R. Simmons
Notary

Thos Sinclair Master
Robert his x mark Watson Pilot
Stewart his x mark Watson
Henry Jones
R. S. Gillett clerk
L. T. Murdock
Cyrus Jones
William Cook
John Taylor

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Second day of May in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventieth, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared John Smoker, Master of the Steam Boat called the Express Mail and declared that on the 27th April last past, he noted in due form of law with Thomas Sutton, Notary in and for the Parish of Bossier, State of Louisiana, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said John Smoker and requires me to extend his Protest, and together with the said John Smoker also come Robert Watson, Pilot; Stewart Watson, second Pilot; Henry Daves, Engineer; R.L. Gillett, Clerk; L.J. Murdock, second Clerk; Columbus Serano, Steward, William Cook & John Taylor, Hands belonging to the aforesaid Steamer all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on Thursday, the 23rd day of April 1846, he, the said John Smoker departed in and with the said Steam Boat Express Mail as Master thereof from Port Caddo, Texas having on board the said Boat a cargo of Cotton, and bound for the Port of New Orleans that the said Brig Delia was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, tackled, victualled, appareled, and appointed; and was in every respect fit for the voyage she was about to undertake:

> Got up Steam and left port on the day and date as above written and proceeded down the River with about Two Hundred Bales Cotton on board ~~ Arrived at Shreveport La. on the same day – and took on board about Twelve hundred bales additional Cargo; after which departed from Shreveport on the 25th April at One O'clock P.M. and proceeded on their regular course until about dark, when they arrived at Simmons Wood Yard abt. Fifty miles below Shreveport, where they lay by all night and started again on the following morning 27th and while running her regular course down the River having proceeded about Six miles further down, the boat suddenly struck a snag on some hidden obstructions under water making a hole on her larboard side which caused her to sink (soon after) to her boiler deck, where she now remains a complete wreck, laying nearly opposite the plantation of R.C. Bates on the Red River ~~ Immediately made all, due exertions to save property, procured the assistance of men from the shore, and the whole of the Boats Officers and Crew with these extra Hands went to work to save Cargo – Continued their efforts for about eleven days and succeeded by great exertions in saving a large portion [66] of the Cotton which was floated ashore and Carted up on the river Bank to a place of safety –
>
> On the 9th of May it was found impossible to make any further saving of Cargo and the labor was abandoned. A part of the Boat's fixtures have also been saved, but the Boat together with the principal part of her Machinery remains a hopeless wreck. On the 10th procured transportation for the Savings and forwarded them to New Orleans,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Boat or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said Boat or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that

the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Snags, Leaks, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said boat or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said boat the owner or owners of the said boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said boat or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Master~ his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Fourteenth day of May in the year of our Lord one thousand eight hundred and forty-six in the presence of William Shannon and M.L. Digby, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon		John Smoker, Master
Martin Jos. Digby	X	Robert Watson, Pilot
	X	Stewart Watson
		Henry Daves
		R.S. Gillett, Clerk
		L.J. Murdock
		Columbus Serano
		William Cook
		John Taylor

G.R. Stringer
Notary Public

No. 357
July 17th 1846
Protest of
Brig Delia

193

UNITED STATES OF AMERICA,
STATE OF LOUISIANA,
CITY OF NEW-ORLEANS.

By this Public Instrument of Protest,

Be it Known, THAT on the Sixteenth day of July in the year of our Lord one thousand eight hundred and forty-six and of the INDEPENDENCE OF THE UNITED STATES OF AMERICA, the Seventy First — BEFORE ME, GREENBURY RIDGELY STRINGER, a Notary Public, in and for the Parish of ORLEANS, dwelling in the City of NEW-ORLEANS, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED, Avis Pales Master of the Brig called the "Delia" and noted in due form of law with me Notary his PROTEST, for the uses and purposes hereafter mentioned; and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New-Orleans aforesaid, again comes the said Avis Pales and requires me to extend his Protest, and together with the said Avis Pales also come Charles Colburn, David Rogers, Charles Sidness, belonging to the aforesaid Brig: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 6th day of June 1846 he, the said Avis Pales set sail and departed in and with the said Brig Delia as Master thereof from Thomaston Me, having on board the said Brig a cargo of Lime, and bound for the Port of New Orleans that the said Brig Delia was then stout, stanch, and strong: had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, apparelled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

Departed on the day aforesaid, and experienced a good deal of heavy weather at times, but no accident occurred until the 13th of July 1846, having had fresh gales, heavy seas, and squally weather unable to take any observation for two days, took precaution and ran on their course under reduced sail: at 10 o'clock P.M. it being very dark

and temperatures, the Brig struck on Chan=
=delier Island about 30 miles North of
the Balize: coming to, broadside on, and the
sea making a complete wreck of the vessel
and causing her to thump and strike very
hard: at 11 P.M. beat over the outer bar a
reef, and she worked inshore, inside the
Breakers which went over her fore and aft.

It was impossible to do any thing to
save her: saved some of our clothes and
stripped her of mils running rigging, and
got them on Shore: Kept the pumps agoing
until 6 o'clock A.M., when finding the
hold on fire, they deserted the Brig:

At meridian the Brig had settled
down in the water even with her decks,
and the steam from the burning hold
was pouring out of her fore and aft.

Found a family living on the
Island, and was enabled to get con=
=veyed thence to this City where they ar=
=rived on the Sixteenth instant.

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Brig Alibi or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Brig or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value, as of right shall appertain. And thereupon the said Master doth PROTEST, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Lines, Shoulings &c

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Brig or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury, which the said Brig the owner or owners of the said Brig or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Brig or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Amis Dales his officers or crew.

THUS DONE AND PROTESTED, *at my Office, in the City of* NEW-ORLEANS, *this* Seventeenth *day of* July *in the year of our Lord one thousand eight hundred and forty-* Six *in the presence of* W. Shannon *and* Martin J. Digby *both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.*

William Shannon

Martin Jos: Digby

Amis Dales

Charles Collins

David Rogers

Charles Sidney

R. Stringer
Not Pub

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the Sixteenth day of July in the year of our Lord one thousand eight hundred and forty-six, and of the Independence of the United States of America, the Seventy-first, Before Me, Greenbury Ridgely Stringer, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared Orris Fales, Master of the Brig called the "Delia" and noted in due form of law with me Notary, his Protest, for the uses and purposes hereafter mentioned and now, at this day, to wit, the day of the date hereof, before me, the said Notary, at the City of New Orleans aforesaid, again comes the said Orris Fales and requires me to extend his Protest, and together with the said Orris Fales also come Charles Colburn, David Rogers, Charles Sidney, belonging to the aforesaid Brig: all of whom being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly do declare and depose as follows, that is to say, that on the 6th day of June 1846, he, the said Orris Fales set sail and departed in and with the said Brig Delia as Master thereof from Thomaston, Me., having on board the said Brig a cargo of Lime, and bound for the Port of New Orleans that the said Brig Delia was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well masted, manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

> Departed on the day aforesaid, and experienced a good deal of heavy weather at times, but no accident occurred until the 13th of July 1846. Having had fresh gales, heavy seas, and squally weather, unable to take any observation for two days, took precaution and ran on their course under reduced sail: at 10 o'clock P.M. it being very dark and tempestuous, the Brig stuck on Chandalier [Chandeleur] Island about 30 miles north of the Balize: Coming to, broadside on, another sea making a complete brach [breach?] of the vessel and causing her to draught and strike very hard: at 11 P.M., beat over the outer bar or surf, and she worked inshore, inside the Breakers which went over her fore and aft.
>
> It was impossible to do any thing to save her: saved some of our clothes and stripped her of sails & running rigging, and got there on Shore: Kept the pumps agoing until 6 o'clock A.M., when finding the lime on fire, they deserted the Brig:
>
> At meridian the Brig had settled down in the water even with her tacks, and the steam from the burning lime was pouring out of the fore and aft.
>
> Found a family living on the Island and was enable to get conveyed thence to this city where they arrived on the sixteenth instant,

and the said Master further says, that, as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said Brig Delia or her aid cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought to be attributed to any insufficiency of the said ~Brig~ or default of him, this deponent, his officers or crew: He now requires me, the said Notary, to make his Protest and this public act thereof, that the same may serve and be of full force and value as of right shall appertain. And thereupon the said Master doth Protest, and I, the said Notary, at his special interest and request, do by these presents, publicly and solemnly Protest against Winds, Weather, Seas, Lime, strandings, &c and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Brig or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages, and injury,

which the said Brig the owner or owners of the said Brig or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by or on account of the premises, or for which the insurer or insurers of the said Brig or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; and that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall on him the said Orris Fales~ his officers or crew.

Thus Done and Protested, at my Office, in the City of New Orleans, this Seventeenth day of July in the year of our Lord one thousand eight hundred and forty-six in the presence of W. Shannon and Martin Digby, both of this City, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signed]

William Shannon

Martin Jos. Digby

Orris Gales

Charles Colburn

David Rogers

Charles Sidney

G.R. Stringer
Notary Public

Territory of Orleans
City of New Orleans } By this Public Instrument of Protest
Be it known that on the Twenty eight day of
September One thousand eight hundred and twenty six Before me
John Lynd Notary Public for the Territory of Orleans dwelling
in the City of New Orleans Personally appears John M Kennon
master and Michael Clagues mate of the Ship or Vessel called
the Schooner El santo Cristo de las Ampollas of the burthen of
Sixty five Tons or Then abouts which said appearers being
by me duly sworn according to Law did solemnly swear
declare, Protest and Say That they sailed in said Schooner
called the El santo cristo de las Ampollas from Cayo
on the Coast of Guyacan on the thirteenth day of July now
last past on a Voyage bound to the Havanna That on the
first day August last Past this appearer John M Kennon
was taken sick that he continued so to be untill the fourth
day of said month of August when considering that it would
be unsafe for himself as well as for the Vessel & crew to proceed
to the Havana he determined to Put into Pensacola which
he did on the Sixth day of the aforesaid Month of August
that he remained at Pensacola untill the second day of
September then following when he thought himself sufficiently
recovered to proceed to Sea which he did on the same day
That on the second day after leaving Pensacola they experienced
a very heavy Gale of wind from the N. E with rain in Consequence of
which this appearer was again taken sick when he determined
to Put into New-Orleans That he came over the Bar at
the Mouth of the River Mississippi on the Eight day of
said Month of September and Continued Looking up the
river untill the fifteenth day of said Month when
this appearer John M Kennon being still sick he
thought it most Prudent to come to New-Orleans to
procure relief which he accordingly did bearing to said
Schooner Eight Leagues below this City That on the
night of the sixteenth day of said Month of September they

422 they experienced a very heavy Storm accompanied with a very heavy Wind which done a great deal of damage to the Vessels then in the River and at the Levee of New-Orleans at the same time the said Schooner St. Santo Cristo de las Ampollas was driven on Shore against the Logs where she bilged and immediately sunk that he employed a Vessel with some Carpenters on board to go to the said Schooner to endeavour to save her and her Cargo that they found it impossible to save the Vessel she having received so much damage from the Logs against which she had bilged But that a part of the Cargo consisting of Logwood they obtained — And therefore this appearer John McKinnon did declare to protest against all Losses, damages & detriments which have happened as against all persons whom it doth shall or may concern on account of the Loss of said Schooner or by any other Means whatsoever. The same having happened as before is set forth and not by or through the default of this appearer his Officers or any of his Crew. and the which matters and things were declared, alledged and affirmed as before is set forth in the presence of me the said Notary and therefore I have granted these Presents under my hand and notarial seal the day and year first before written. Thus done and Protested at New-Orleans aforesaid being requested to testify & certify the Premises —

signed John Joseph McKinnon
" Miguel Cregny
John Lynde Notary Public

Seal

By this Public Instrument of declaration and Protest Be it known that on the Twenty-eighth day of September, One thousand eight hundred and Six, Before me John Lynd, Notary Public for the territory of Orleans dwelling in the city of New Orleans Personally appeared John McKerinon, Master, and Michael Clagues, mate of the Ship or Vessel called the Schooner El Santo Cristo de los Ampollas, of the burthen of Sixty five Tons or there abouts which said appearers being by me duly sworn according to Law Did solemnly swear, declare, Protest, and Say that they sailed in said Schooner called the El Santo Cristo de los Ampollas from Cuyo on the Coast of Yucatan on the thirteenth day of July now last past on a Voyage bound to the Havana. That on the first day August last past the appearer John W. McKerinon was taken sick, that he continued so to be until the fourth day of said month of August when considering that it would be less safe for himself as well as for the Vessel & crew to proceed to the Havana, he determined to put into Pensacola, which he did on the sixth day of the aforesaid month of August. That he remained at Pensacola until the second day of September, then following, when he thought himself sufficiently recovered to proceed to Sea which he did on the same day. That on the second day after leaving Pensacola, they experienced a very heavy Gale of Wind from the N.E. with rain, in consequence of which this appearer was again taken sick when he determined to put into New Orleans. That he came on the Bar at the Mouth of the River Mississippi on the eighth day of said month of September and continued looking up the river until the fifteenth day of said month when this appearer, John McKerinon being still sick he thought it most prudent to come to New Orleans to procure relief which he accordingly did, leaving the said schooner eight leagues below this city. That on the night of the sixteenth day of said month of September, they [422] experienced a very heavy storm accompanied with a very heavy rain which done a great deal of damage to the vessel then in the River and at the Levee of New Orleans. At the same time the said Schooner El Santo Cristo de los Ampollas was driven in Shore against the Logs when she bilged and immediately sunk. That he employed[?] a vessel into some carpenter, on board to go to the said Schooner to endeavor to save her and her Cargo. That they found it impossible to save the Vessel, she having received so much damage from the Logs against which she had bilged, but that a part of the Cargo consisting of Liquors they obtained. And therefore the appearer John McKerinon did declare to protest against loss, damages, and detriments which have happened against all person whom it doth, shall, or may concern on account of the loss of said Schooner or by any other means whatsoever. The same having happened as before is the fault and not by or through the default of this appearer, his officers, or any of his Crew. All which matters and things were declared, alleged, and affirmed as before is set forth in the presence of me, the said Notary, and therefore I have granted these Presents under my hand and notarial Seal the day and year first before written. This done and protested at New Orleans aforesaid being requested to be ___? And certify these premises.

John Joseph McKerinon

Miguel Crequy [Michael Clagues]

John Lynd,
Notary Public

who hereunto sign their names with the parties, (Thomas L. Harman Esquire, President of said Bank, accepting for the said President and Directors) and me Notary.

Thos L Harman, Pres.

C. R. Smith

John Lynd

Carlile Pollock

George Pollock

N Nat

Be it known that this day before me John Lynd Notary public in and for the City of New Orleans personally appeared Daniel Clark of this City Esquire who declared that for and considerate of the sum of three hundred fifty dollars to him in hand paid the receipt whereof is hereby acknowledged, he does by these presents grant bargain and sell unto Marie Olive, a free woman of colour, represented in this act by Claude Bonnefoy of this City, appearing and accepting for her, her heirs and assigns, a negress slave named Chloe and her child of about six months old, warranted free from encumbrance, but without any other warranty; to have and to hold the said slaves unto the said Marie Olive her heirs and assigns to her and their proper use and behoof forever. And the said Daniel Clark for himself and his heirs the said slaves to the said Marie Olive her heirs and assigns against all persons or persons whomsoever shall and will warrant and forever defend by these presents. Thus done and passed at New Orleans this fourteenth day of May one thousand eight hundred and thirteen in presence of George Pollock and Carlile Pollock witnesses, who hereunto sign their names with the parties and me Notary

Sale
7 May

Claude Bonnefoy pour mary Olive

Daniel Clark

Carlile Pollock

George Pollock

John Lynd
Not Pub

By this act appears be it known that this day before me John Lynd Notary public in and for the City of New Orleans personally appeared Joseph Barrierda, late Master of the Schooner Mary of Bayou Saint John, who having been duly sworn declared, that he sailed in and with said Schooner from

See protest
12 May

Bayou Saint John on Saturday the eighth instant, bound for Mobile, with a cargo of whiskey in casks and other merchandise onboard; that on the morning of the eleventh being near Horn and Ship Island it began to blow hard, and with great appearance of bad weather coming on; whereupon this appearer brought his vessel to anchor near Dog Island; soon after the gale increased to a hurricane, and the cable parting the vessel was immediately driven ashore on Dog Island, and soon after beat to pieces, and the cargo floated away and was lost, this appearer with his wife and four passengers being just able to save themselves in the skiff, and land on Ship Island, without any thing but their clothing on their backs. They remained nearly two days on the Island when they were taken off by the schooner Rosalie from Pensacola, and brought to this port. This appearer therefore declares solemnly to protest against the winds and waves, and other causes beyond human control, which have caused the loss of said vessel and cargo, and all the property this appearer owned, and that no fault, negligence nor mismanagement ought to be imputed to him, nor any others of the ship's company. Thus done and protested at New Orleans this eighteenth day of May One thousand eight hundred and thirteen, the protestor hereunto signing his name with our Notary.

mark of Joseph Squierda (+)

J. Mandeville

A. Pitch

Be it known that this day before me John Mandeville Notary public in and for the City of New Orleans, personally appeared Francois Dufourny Junior of the City Merchant, and Joseph Quard de of this City, executor of the last will of Louis Dufourny deceased who mutually covenanted and agreed to and with each other as follows, that is to say, that whereas the said Francois Dufourny Junior, and the said late Louis Dufourny carried on trade in this City, as copartners, which copartnership was

Orleans
11 May

Sea Protest
12 May

By this act of protest be it known that this day before me John Lynd Notary Public in and for the city of New Orleans personally appeared Joseph Jquierda, late master of the Schooner Mary of Bayou Saint John, who having been duly sworn declared that he sailed in and with said Schooner from [204] Bayou Saint John Saturday the eighth instant, bound for Mobile, with a Cargo of Whiskey in casks and other merchandise on board; that on the evening of the eleventh being near Horn and Ship Islands it began to blow hard, and with great appearance of bad weather coming on; whereupon this appearer brought his vessel to anchor near Dog Island; soon after the gale increased to a hurricane, and the cable parting, the vessel was immediately driven ashore on Dog Island, and soon after beat to pieces, and the Cargo floated away and was lost, this appearer with John Nicole and four passengers being just able to save themselves in the skiff, and land on Ship Island, without anything but their clothing on their backs. They remained nearly two days on the Island when they were taken off by the Schooner Rosaline from Pensacola, and brought to this port. These appearers therefore declared solemnly to protest against the winds and waves, and other causes beyond human control, which have caused the loss of said vessel and cargo, and all the property this appearer owned, and that no fault, negligence, nor mismanagement ought to be imparted to him, nor any other of the ship's company. This done and protested at New Orleans this eighteenth day of May, one thousand eight hundred and thirteen, the protester hereunto signing his name with me, Notary. And P. Billot, Passenger, being sworn, confirmed the foregoing.

X Joseph Jquierda

John Lynd,
Notary Public

This protest for loss of vessel to British capture. Not included.

Orleans, personally appeared Captain Henry Dolliver late Captain, and Thomas Shea, Mate, and John Davison, seaman all late of the Ship Jane of New York of the burthen of about two hundred and fourteen tons, who having been severally duly sworn to declare the truth depose, that they sailed in and with said ship, laden with sugar and molasses, from the 14th day of their current month, bound for New York. On the 12th the Wind being favorable they got under weigh at Meridian, from the opening of the Pass à l'outre, in company with the armed Brig Henry Gilder, and having received a pilot onboard, attempted to pass the Bar at 2. P. M. but unfortunately grounded. at nine P. M. having hove off and shipped hawser & hawse and made all sail with a fresh Breeze from the N. At 2 A. M. a sail hove in sight under their lee about half a mile distant, which soon after tacked ship and coming up with the same fired three shot at her, the same was then hove to, and was soon after taken possession of by his Britannick Majesty's Sloop of War Herald. Then appellants together with the rest of the ship's company were sent onboard the Herald, and the same was despatched for New Providence. On the 17th the Sloop of War landed these appellants, and the others of the ship's company, at the Bahaja with all their cloathes and baggage. Then appellants therefore declare solemnly to protest against the said Sloop of War, her Commander Officers and Crew, as the cause of the loss of said ship, her Cargo, Register, and other custom house documents; and that no fault, negligence, nor mismanagement ought to be imputed to them these appellants nor any others of the ships Company. Thus done and protested at New Orleans the protestors herein signing their names with me Notary this twenty fourth day of December One thousand eight hundred and thirteen —

Henry Dolliver

Thomas Shea

John E Davidson

John Lynd
Notary

By this public instrument of protest be it known that this day before me John Lynd Notary public in and for the City of New Orleans personally appeared Captain Benjamin Sarpostas late Master of the Schooner Resolution of Mobile of the burthen of thirty tons, who having been duly sworn to declare the truth,

See protest 14 Dec.

~~581~~
582

deponent that he sailed in and with said vessel from the Bayou Sauvage on the 24 day of November last, bound for Pensacola, laden with flour and cotton; that nothing material happened until the 9th instant when being arrived at Pass Heron, the pilot only there met water in the pass, and the vessel drawing six feet, and having no means to lighten her, they were compelled to wait for more water: the same day were informed by the schooner Lucrece, of several vessels bound for Pensacola having been captured by the British Barges; and thereupon this appearer determined to return to New Orleans, and got under weigh at 10 P. M. with a light wind from the S. E. Soon after the wind hauled round to N. and from two fathoms and a half water, it shoaled all at once, and the vessel struck upon a sand Bar, and there remained: in the morning at low water she was high and dry: at meridian the tide making, they attempted to get an anchor out, but the current was so strong it upset the Boat, and had nearly drowned a Man. At high water at midnight hove the vessel off, but the wind blowing hard from S. E. S. the sea began to make so that they could not get under weigh without hazard of being again stranded: the pilot enemaning the vessel dragged her anchor and grounded, and the Boat was lost: the people then lashed three Bales of Cotton together, and upon them got to land, to save their lives, on the North side of Horn Island: next morning found the Boat, and going in her on board the schooner found her bilged, and full of Water. It was then determined to go with the Boat to Pascagola, to get a vessel to save the Cargo, and they then engaged a schooner, with which on the 13th they attempted to go out, but the weather prevented them: on the 14th they went to the Wreck, which they found in two pieces, and the Cargo floating about: all they could save was 23 Bales of Cotton and about 30 Barrels of flour, which they began to take in, but when they had loaded 19 Bales and 20 Barrels the weather obliged them to abandon the Wreck and the Island, and making the best of their way, they arrived in the Bayou S. the 17th 23d instant. Then appearer therefore declares to protest solemnly against the shoals and winds and leaves as the cause of all the loss and damage aforesaid, and that no fault, negligence, nor mismanagement ought to be

imputed to them their appearance. Thus done and passed at New Orleans this twenty fourth day of December One thousand eight hundred and thirteen the parties hereunto signing their names with me Notary, and P. Pillier, Witness, being sworn, informed the foregoing.

P. Pillier

mark of Fr. Baptiste

B. Lasportas

John Lynd

Be it known that this day before me John Lynd Notary public in and for this City, personally appeared Jean Louis Brand of this city, who declared that he accepts the appointment of Syndic of the Estate and Condition of Nicholas Jean Perin, on condition that any two of the three Syndics appointed may do all lawful acts, notwithstanding the refusal, or absence, or inability to act of the third Syndic. Thus done and passed at New Orleans this twenty fourth day of December One thousand eight hundred and thirteen, this appearer hereunto signing his name hereunto with me Notary.

John Lynd

J. L. Brand

Notarial Archives Research Center
1340 Poydras St. Suite 360
New Orleans, LA 70112

By this act of procuration be it known that this day before me John Lynd Notary public in and for this City of New Orleans personally appeared William Jerome, a free Negro, who declared that he doth by these presents appoint and in his place and stead put Charles Patton of this City to be his true and lawful Attorney granting unto said Attorney full power for him in his name and behalf, and to his use, to demand and receive of and from Louis Perin, formerly of this City, at present of Baton Rouge, all such sum or sums of money goods debts and effects as now is or are or may hereafter be in his possession due or owing to this con=stituent by what name or means soever: and to that end to appear before all Courts of Law there to do and prosecute as occasion shall require, to compound and agree by Arbitration or otherwise, upon receiving and receipt in the premises to give sufficient discharges; and generally to do and perform what=

Protest
24 Dec.

Be it known that this day before me John Lynd Notary Public in and for this city of New Orleans personally appeared Captain Benjamin Lasportas, late master of the Schooner Revolution of Mobile of the burthen of thirty tons, who having been sworn to declare the truth, [582] deposed that he sailed in and with said vessel from the Bayou Saint John on the 24th day of November last, bound for Pensacola, laden with flour and Cotton; that nothing material happened until the 9th instant when being arrived at Passe Heron [Alabama channel near Dauphin Island], they found only three feet water in the pass, and the vessel drawing six feet and having no means to lighter her, there were compelled to wait for more water. The same day were informed by the Schooner Sicome, of several vessels bound for Pensacola having been captured by the British Barges; and thereupon these appearers determined to return to New Orleans, and got underway at 10 P.M. with a light wind from the S.E. Soon after the wind hauled round to N. and from two fathoms and a half water, it shoaled all at once, and the vessel struck upon a sand Bar, and then remained; in the morning at low water she was high and dry; at meridian the tide making, they attempted to get an anchor out, but the current was so strong it upset the Boat, and had nearly drowned a man. At high water at midnight hove the vessel off, but the wind blowing hard from E.S.E., the sea began to make so that they could not get underway without hazard of being again stranded. The sea increasing, the vessel dragged her anchor and grounded, and the Boat was lost. The people then lashed three Bales of Cotton together, and upon them got to hand, to save their lives, on the north side of Horn Island. Next morning found the Boat, and going in her on board the Schooner found her bilged and full of Water. It was then determined to go with Boat to Pascagoula, to get a vessel to save the cargo, and they then engaged a Schooner, with which on the 13th they attempted to go over, but the weather prevented them. On the 14th they went to the wreck, which they found in two pieces, and the Cargo floating about. All they could save was 23 Bales of Cotton and about 30 Barrels of flour, which they began to take in, but when they had loaded 19 Bales and 20 Barrels the weather obliged them to abandon the wreck and the flour, and making the best of their way, they arrived in the Bayou St. John on the 23rd instant. These appearers therefore declared to protest solemnly against the shoals and winds and waves as the causes of the loss and damages aforesaid, and that no fault, negligence, or mismanagement ought to be [583] imparted to them, these appearers, nor the others of the crew. This done and protested at New Orleans this twenty-fourth day of December, one thousand eight hundred and thirteen, the protesters hereunto signing their names with me, Notary. And P. Billot, Passenger, being sworn, confirmed the foregoing.

X P. Billot Bn. Lasportas

John Lynd,
Notary Public

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protest
24 Dec

By this public act of protest be it known that this day before me John Lynd notary public in and for this city of New Orleans came John Lacoste master of the schooner Perdido of Bayou St. John with John Cassie and Francis Olivier former both of and belonging to said vessel, who having been duly sworn to declare the truth deposed that they sailed in and with said schooner from Pensacola on the 18th instant bound for this place, the said schooner being then tight and strong, well manned and provided. That nothing particular happened until yesterday when they made the entrance of the Bayou Saint John, the wind blowing a heavy gale from S. E. and a strong current running, which when they attempted to enter the Pickets, threw them violently thereon, and the side of the schooner being thereby stove in she filled and sunk: the crew immediately endeavoured to save such articles of the cargo as were at hand, and got out sixteen Barrels of Coffee, one Bale of Pelitry, and a can of liqueurs; and the said schooner now remains sunk, and in danger of being totally lost. They appearers therefore declared to protest solemnly against the winds and currents as the causes of the loss and damage sustained by said vessel and cargo; and that no fault, negligence, nor mismanagement ought to be imputed to them the appearers nor the others of the crew. Thus done and protested at New Orleans this twenty fourth day of December one thousand eight hundred and fifteen the protesters hereunto

J.n Cassie

mark of
Francis Olivier (X)

mark of John Lacoste (X)

John Lynd
Not Pub

MAR 10 2010

procuration
26 Dec

By this act of procuration be it known that this day before me John Lynd notary public in and for this city of New Orleans came Robert Hunter M.r Nair, who declared that he does by these presents appoint and in his place and stead put Thomas Wilson of the city of London Esquire to be his true and lawful attorney for him in his name and behalf and to his use to demand and

Protest
24 Dec.

By this public act of protest be it known that this day before me John Lynd Notary Public in and for the city of New Orleans came John Lacoste, master of the schooner Perdido of Bayou St. John, with John Cavezie and Francis Olicon[?], seamen both of and belonging to said vessel, who having been duly sworn to declare the truth, deposed that they sailed in and with said Schooner from Pensacola on the 18th instant bound for this place, the said schooner being tight and strong, well manned and provided. That nothing particular happened until yesterday when they made the entrance of the Bayou Saint John, the wind blowing a heavy gale from S.E. and a strong current running, which when they attempted to enter the pickets, threw them violently thereon, and the side of the schooner being thereby stove in, she filled and sunk. The crew immediately endeavored to save such articles of the cargo as were at hand, and got out sixteen Barrels of coffee, one Bale of Peltry, and a can of liqueur, and the said schooner now remained sunk, and in danger of being totally lost. These appearers therefore declared to protest solemnly against the winds and currents as the causes of the loss and damages sustained by said vessel and cargo; and that no fault, negligence, or mismanagement ought to be imparted to them, these appearers, nor the others of the crew. This done and protested at New Orleans aforesaid this twenty-fourth day of December one thousand eight hundred and sixteen, the protesters hereunto.

Jn. Cavezie

X Francis Olichon[?]

X John Lacoste

John Lynd,
Notary Public

neglect or mismanagement of these aforesaid persons or any of the other persons on board of said Boat. In faith whereof they hereunto sign their names with me Notary at New Orleans this Ninth day of April one thousand eight hundred and eighteen.

Robert Hood

John Lynd
Notary Public

Norman Smith
Owen his x mark Barnham

Sea Protest April 9.

Be it Known that this day before me the Lynd Notary Public in and for the city of New Orleans duly commissioned personally appeared Benjamin Waine, late master of the Schooner or vessel called the Enterprize of the Port of Boston, and John Crockel, mate, and Alexander Brown, marines late of said said Schooner, who having been severally sworn the truth to speak, declared That they sailed from Turks Island in the Bahamas on the 17th day of February last past, in and with said schooner, she being tight and staunch, bound to this Port of New Orleans. That nothing remarkable occurred on said voyage until the 7th March following, when a Pilot from the Balize came on board and took charge of the vessel. At 8 o'clock p.m. they sounded, and found no bottom with 50 fathoms of line; they sounded at 10 o'clk p.m. and found no bottom with 50 fathoms. At twelve o'clock the vessel struck ground in seven feet water. The Pilot declared that they were then in the North East Pass; but at daylight they found themselves about 9 miles south of the Balize. The vessel struck hard on the ground and leaked considerably; about sun-rise the cutwater broke off, and they were obliged to keep one pump

constantly going aboard now a boat came off to them, but could render no assistance; another boat in attempting to make the schooner was lost. On the 10th a boat with six men came alongside, but returned to the Balize for a large boat and anchor. At 4 o'clock p.m. they sent their clothes and other articles on shore, there being appearance of a stormy night. At 9 a.m. on the 11th the boat and anchor from the Balize, came alongside; but the sea ran so high they could not get the anchor on board. William Wasteman and John Baffett two of the crew mutinied, insisting on going on shore; they broke several articles in the cabin, and threatened to throw the captain overboard. It was judged most prudent to send them on shore. On the 12th they had strong breezes from East. The Captain with two men went to the Balize to procure assistance, leaving three men on board. On the 13th they obtained a launch at the Balize and set out for the vessel, but the men got drunk and quarrelled, took all the provisions out and returned to the Balize. On the 14th they started with the launch again, and reached the Tent near the vessel. The wind shifted suddenly to the North West and blew a violent squall, which hove the schooner on her beam ends; and they found it impossible to get on board. The three men left on board on the 12th had been obliged to abandon the vessel same day, in consequence of her filling with water. On the 15th the weather became more moderate. They went on board, and found the schooner full of water and the sea breaking over her. They embarked the mainsail and took it on shore, with several small articles. On the 16th the tide being low, the captain requested the men to go on board and save what they could from the wreck; but they refused, and would not afterwards obey any of the schooner's commands. Five of the men took the schooner's Boat and went off to the Balize; and the Captain and remainder of the crew were obliged

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to abandon the vessel. Whereupon there appeared, and particularly the said Master declared to Protest, as by these Presents they do publicly and solemnly Protest against all and every person and persons whom the same may or doth concern; against the danger of the Seas and inevitable accidents of whatsoever nature and kind; against the ignorance and inexperience of the person who undertook to Pilot said schooner to the Balize; and against the mutiny of the crew of said schooner as aforesaid, for all loss and detriments sustained or to be sustained, by, through, or on account of the loss of said schooner; declaring that no blame can or ought to be attributed to them appellants and particularly said master, who made every exertion in his power to save the same. Thus done and protested at New Orleans aforesaid this Ninth day of April one thousand eight hundred and eighteen, in faith whereof the said appellants hereunto sign their names with me Notary.

Perry Meaux
John Crockett
his
Alex + Brown
mark

W. Rugg
Notary Pub

See Protest April 10

Be it known that on the 6th March last before me the Notary Public in and for the city of New Orleans duly commissioned personally appeared Stephen Vail, master the brig or vessel called the Orleans of New York burthen about 237 tons who declared that he sailed from New York on the 8th day of February last on a voyage for this Port of New Orleans; that he met damage on the voyage, and required me

Sea Protest
April 9

Be it Known that this day before me John Lynd Notary Public in and for the city of New Orleans duly commissioned, personally appeared Benjamin Maine, late master of the Schooner or vessel called the Enterprise of the Port of Boston, and John Crockel, mate, and Alexander Brown, mariner late of said schooner, who having been severally sworn the truth to speak, declared that they sailed from Turk's Island in the Bahamas on the 17th day of February last past, in and with said schooner, she being tight and staunch, bound to this Port of New Orleans. That nothing remarkable occurred on said voyage until the 9th March following, when a Pilot from the Balize came on board and took charge of the vessel. At 8 o'clock P.M. they sounded, and found no bottom with 50 fathoms of line; they sounded at 10 o'clock P.M. and found no bottom with 50 fathoms. At twelve o'clock, the vessel struck ground in seven feet water. The Pilot declared that they were then in the North East Pass; but at daylight they found themselves about 9 miles south of the Balize. The vessel struck hard on the ground and leaked considerably; about sunrise the cut[?] mast broke off and they were obliged to keep one pump [255] constantly going – About noon a boat came of to them, but could render no assistance; another boat in attempting to make the schooner, was lost. On the 19th, a boat with six men came alongside, but continued to the Balize for a large boat and anchor. At 4 o'clock P.M. they sent their clothes and other articles on shore, there being appearance of a stormy night – At 9 A.M. on the 11th, the boat and anchor from the Balize came alongside; but the sea ran so high, they could not get the anchor on board – William Wasterman and John Bassett, two of the crew, mutinied, insisting on going on shore; they broke several articles in their cabin and threatened to throw the captain overboard. It was judged most prudent to send them to shore. On the 12th, they had strong breezes from East. The Captain went to the Balize to procure assistance, leaving three men on board. On the 13th, they obtained a launch at the Balize and set out for the vessel; but the men got drunk and quarreled, took all the provisions out and returned to the Balize. On the 14th they started with the launch again, and reached the Tent near the vessel. The wind shifted suddenly to the North West and blew a violent squall, which hove the schooner on her beam ends; and they found it impossible to get on board. The three men left on board on the 12th had been obliged to abandon the vessel same day, in consequence of her filling with water. On the 15th the weather became more moderate. They went on board and found the schooner full of water and the sea breaking over her. They unbent[?] the mainsail and took it on shore with several small articles. On the 16th, the tide being low, the captain requested the men to go on board and save what they could from the wreck; but they refused and would not afterwards obey any commands – Five of the men took the schooner's boat and went off to the Balize, and the Captain and remainder of the crew were obliged [256] to abandon the vessel. Whereupon these appearers and particularly the said Master declared to Protest, as by these Presents they do publicly and solemnly protest against all and every person and persons whom the same may or doth concern against the dangers of the seas and inevitable accidents of whatsoever nature and kind; against the ignorance and inexperience of the person who undertook to Pilot said Schooner at the Balize; and against the mutiny of the crew of said Schooner as aforesaid, for all loss and detriments sustained or to be sustained, by, through, or on account of the loss of said Schooner; declaring that no blame can or ought to be attributed to these appearers and particularly said master, who made every exertion in his power to save the same. This done and protested at New Orleans aforesaid this Ninth day of April one thousand eight hundred and eighteen, in faith whereof the said appearers hereunto sign their names with me, Notary.

Benj. Maine
John Crockel
X Alex. Brown

John Lynd, Notary Public

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Rivoire Protest
April 15.

By this Instrument of Protest, be it Known that this day before me John Lyon Notary Public in and for the city of New Orleans duly commissioned personally appeared John Sherman, master of the flat-boats, and Joseph Lawrence and Peter Rickart, navigators on board of the same, who having been duly sworn the truth to speak declared that they loaded said boats, designated Numbers one and Two, at Franklin, in Warren County in the State of Ohio, with cargoes of Pork Lard, Flour and whiskey, for a voyage to the Port of New Orleans. That on the 10th day of March last they proceeded on said voyage, and experienced nothing extraordinary until the 24th day of said Month, when the weather being hazy, the said boat number one ran on a sawyer about six inches below water, which stove in part of her bow, and she instantly filled. With the utmost exertions, the saved seven barrels of Pork, four casks Lard, two barrels Flour and seven barrels Whiskey, which they put on board of the boat number two; the remainder of the cargo was lost, by the sinking of said boat. Whereupon there appeared and particularly the said master declared to protest, as by these presents they do publicly protest against all and every person and persons whom the same may or doth concern against the dangers and obstructions of the river, and inevitable accidents of whatever nature and kind, for all damage loss and detriments sustained or to be sustained by reason of the loss of said boat and the part of her cargo as aforesaid, declaring that the same happened as has been above set forth and not through any neglect or mismanagement

ment of these appearers. Done and passed 291
at New Orleans this fifteenth day of April,
one thousand eight hundred and eighteen,
the said appearers in faith whereof hereto sign-
ing their names with me Notary. Said Lawrence
and Rickert making their usual marks

Johann Kiesewman

John Lynd

Joseph his x mark Lawrence

J. Lynd

Peter his x mark Rickert

Where April 15.

Be it Known that this day before me John Lynd Notary Public in and for this city of New Orleans came James McLaughlin, — of the firm of Erwin, McLaughlin and Company of this city merchants, who declared that he does by these presents grant discharge and acquittance of a certain Bottomry Bond given in favour of his said firm on the Brig Called the Leyton, of this Port, to secure payment to them of the sum of Two Thousand Five Hundred Dollars by Lewis Deal of this city merchant, and owner of said brig; and that perfect satisfaction of the said Bottomry having been to his said firm made, consents that the same shall be considered as cancelled and of non-effect in law: In faith whereof he hereunto signs his name, at New Orleans this fifteenth day of April, one thousand eight hundred and eighteen, in presence of Hugh K. Gordon and John P. Sanderson witnesses, who also sign their names hereto with me Notary.

Hugh K. Gordon.

John P. Sanderson

For Erwin McLaughlin & Co

J. McLaughlin

John Lynd

J. Lynd

River Protest
April 15

By this Instrument of Protest Be it Known that this day before me John Lynd Notary Public in and for the city of New Orleans duly commissioned, personally appeared John Therman [*sic*], master of two flat-boats, and Joseph Lawrence and Peter Rickart, navigators on board of the same, who having been duly sworn the truth to speak, declared that they loaded said boats, designated Numbers one and Two, at Franklin in Warden County in the State of Ohio, with cargos of Pork Lard, Flour and whiskey, for a voyage to this Port of New Orleans. That on the 19th day of March last, they proceeded on said voyage, and experienced nothing extraordinary until the 24th day of said Month, when the weather being hazy, the said boat number one ran on a sawyer about six inches below water, which stove in part of her bow, and she instantly filled. With the utmost exertions, they saved seven barrels of Pork, four casks Lard, two barrels Flour and seven barrels Whiskey, which they put on board of the boat number two; the remainder of the cargo was lost, by the sinking of said boat. Whereupon these appearers and particularly the sad master, declared to protest, as by these presents they do solemnly protest against all and every person and persons whom the same may or doth concern; against the dangers and obstructions of the river and inevitable accidents of whatsoever nature and kind for all loss, damage, and detriments sustained or to be sustained by or on account of the loss of said boat and the part of her cargo as aforesaid; declaring that the same happened as has been above set forth and not through any neglect or mismanagement [291] of these appearers. Done and protested at New Orleans this fifteenth day of April, one thousand eight hundred and eighteen, the said appearers in faith whereof hereto signing their names with the Notary, said Lawrence and Richart making their usual marks.

Johann Thierman

X Joseph Lawrence

X Peter Richart

John Lynd
Notary Public

and no person having appeared in the case of the last
at the usual hour on the day aforesaid did close the proceedings
Lafaith witness of I grant these presents under my sign

River Protest
Thomas Buckner
Hul. Sarah Washington
March 2.

By this Instrument of Protest Be it Known that on the twe
fifth day of February last before me Eslin Lopez notary public
and for the city and parish of New Orleans, duly commissioned
personally appeared Thomas Buckner late master of the
Boat called the Sarah Washington of Shipping port, burthen
Sixty five tons, who declared that he sailed with said boat
with flour, on the tenth day of January last bound for
of New Orleans. That said Boat struck a snag in the
Mississippi and was lost. That said cargo was damaged
that he was obliged to take freight for the same on other
and hereby Notes his Protest against the same, requiring
Notary to make acte thereof, intending at more time
detail the particulars.

And thereunto this day again appeared the same Mark Ty
Andrew Sheridan, Robert McNally, assistants on board of
Hul-boat on the voyage aforesaid

who having been duly sworn to declare the truth, deposed, that
twenty seventh day of January last, having been among the
Pleasant Point in the River Mississippi, and being about to
boat to the Bank and make fast for the night, the Hull
a snag about two and a half feet under water, which
a large hole in her bottom. They hauled immediately
the Bank, and made toward for the bank, but could not
it without unloading. They proceeded with the other
hatch to unload; but the water rushed in so rapidly
being then quite dark, that before they effected having
cargo, the lower tier of Barrels was covered with
it was with the utmost difficulty they got it out

the boat sunk in ten or twelve feet water. The next morning they procured the assistance of upwards of forty persons from land around, and endeavoured for the two days and a half following to raise the said Keel-boat, but without success; and they were obliged to abandon her. The said Master procured freight for said cargo, to wit: about six hundred barrels, on board of several boats which proceeded at sundry times as they were procured, for this Port, where they have all already arrived except two.

Whereupon the said Master declared to Protest, as by these presents he does publicly and solemnly protest against all persons whom the same may or doth concern, against the dangers and obstructions of the River and inevitable accidents of whatsoever nature and kind, for all loss, damages and detriment suffered or to be suffered by, through, or on account of said Keel-boat Sarah Washington and the goods of her loading on the voyage aforesaid; declaring the same to arise from the accident above recited and not through any fault, neglect or mismanagement of him the said Master or any of the other persons on board of said boat on said voyage.

In faith whereof the said appearers hereunto sign their names at New Orleans aforesaid this second day of March one thousand eight hundred and sixteen and I the said notary grant these presents, under my signature.

Thomas Buckner
his
Andrew X Sheridan
mark
Robert Buckly

J. Lyndsd
Not Pub

Bond
Woodward
March 2.

Be it Known that this day before me John Lynell notary public in and for the city and parish of New Orleans duly commissioned, personally appeared Eben Woodward of this city merchant who handed to me the originals of which the document on the margin hereof annexed is a true copy and required me Notary to deposite the same in this my Current Register there to remain of Record and serve in case of need hereafter. Whereupon I have attached the same to the margin of this act. Done at New Orleans this Second day of March 1816.

River Protest –
Thomas Buckner
Keel, Sarah Washington –
March 2

By this instrument of Protest be it Known that on the twenty-fifth day of February last before me John Lynd notary public in and for the city and parish of New Orleans duly commissioned, personally appeared Thomas Buckner, late master of the keel Boat called the Sarah Washington of Shippingport [KY], burthen about sixty-five tons, who declared that he sailed with said boat loaded with flour, on the tenth day of January last bound for the port of New Orleans. That said Boat struck a snag in the river Mississippi and was lost. That said cargo was damaged and that he was obliged to take freight for the same in other boats and hereby notes his Protest against the same, requiring this Notary to make record thereof, intending at [illegible] leisure detail the particulars.

And thereunto this day again appeared the said Master together with Andrew Sheridan, Robert McNally, assistants on board of said Keel-boat on the voyage aforesaid — who having been duly sworn to declare the truth, deposed that on the twenty-seventh day of January last, having then arrived near to Plumb Point in the River Mississippi, and being about bring said boat to the Bank and make fast for the night, the boat hit a snag about two and a half feet under water, which made a large hole in her bottom. They hauled in said boat to the Bank, and made search for the leak, but could not reach it without unloading. They proceeded with the utmost dispatch to unload, but the water rushed in so rapidly and being quite dark, that before they effected landing the cargo, the lower tier of Barrels was covered with water and it was with the utmost difficulty they got it out before [159] the boat sunk in ten or twelve feet of water. The next morning they procured the assistance of upwards of forty persons from [the] boat landing and endeavored for two days and a half following to raise the said Keel-boat, but without success and they were obliged to abandon her. The said Master procured freight for said cargo, to wit about six hundred barrels, on board of several boats, which proceeded at sundry times at they were procured, for this port, where they have all already arrived except two.

Whereupon the said Master declared to Protest, as by these presents he does publicly and solemnly protest against all persons whom the same may or doth concern, against the dangers and obstructions of the River, and inevitable accidents of whatsoever nature and kind, for all loss, damage, and detriment suffered or to be suffered by, through, or on account of said Keel-boat Sarah Washington and the goods of her loading on the voyage aforesaid; declaring the same to arise from the accident above recited and not through any fault, neglect, or mismanagement of him the said Master or any of the other persons on boards of said boat or said voyage.

In faith whereof the said appearers hereunto sign their names at New Orleans aforesaid this second day of March, one thousand eight hundred and nineteen, and I the said notary grant these protests under my signature.

Thomas Buckner

X Andrew Sheridan

Robert McNally

John Lynd
Notary Public

Flour Protest
Hiram Boulton
Pilot or Patron
John Bolton
John Brown
Navigators

By the Instrument of Protest Be it known that this day before me John Lynd notary public in and for the city and parish of New Orleans duly commissioned personally appeared Lewis Wilson the master, Hiram Boulton, pilot or patron and John Bolton, and John Brown, navigators of three flat-boats lately arrived in this Port, who having been duly sworn to declare the truth, deposed that they proceeded from the Port of Shippingport in the state of Kentucky in and with three flat-boats loaded with Flour and Apples, sometime in the month of October last, bound for this Port of New Orleans. That near Flint island in the Ohio river, one of said boats got foul on the cable of the steam-boat Vesta then at anchor in the narrow channel, and striking with great force against said steam boat, stove in the bows of the flat boat, and she filled with water. They landed the cargo, which was considerably wet, raised and repaired said boat, and after reloading, proceeded on to French Island in said river where the boats grounded. They purchased and loaded from the former, a fourth flat-boat; and being thus lightened they proceeded. About the fifteenth day of December following they arrived at Plums Point in the river Mississipi, when the smallest of the three first boats struck a snag, and sunk almost immediately. There being then a strong gale of wind, notwithstanding their utmost exertions, the said flat-boat and every thing on board was lost: that is to say, about twenty five Barrels of Flour, Sixty Barrels of Apples; a Mare, Dray and Harness. On the fifteenth ~~they~~ ~~this present month~~ they arrived in this Port with the remaining three flat-boats, without any thing ~~thing~~ further extraordinary having occurred. Whereupon the said appearers declared to Protest as by these presents they do publicly and solemnly protest against all persons whom the same may or doth concern, against the difficulties and obstructions of the river and against inevitable accidents of whatsoever nature and kind, and particularly against the accidents aforesaid, for all loss, damage and detriment suffered or to be suffered, for, by, or on account of said flat-boats and the goods of their loading; declaring that the same happened as has been above recited and not through any fault.

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in mismanagement of these officers or any person or persons on board of said boats on the voyage aforesaid. In faith whereof the said officers have hereunto signed their names at New Orleans aforesaid this sixteenth day of January one thousand eight hundred and nineteen, and the said notary grant these presents.

Jos. Nelson Duncan Mendell

John Tolson

John Lynd Not. Pub. Joel Bowen

Sale
James A. Grant
to
Chas. G. King.
Jan. 18.

Be it known that this day before me John Lynd notary public in and for the city and parish of New Orleans duly commissioned personally appeared James A. Grant of Richmond in the state of Virginia, who declared that for and in consideration of the sum of Eighteen Hundred Dollars cash to him in hand paid receipt whereof is hereby acknowledged, he does by these presents grant bargain and sell unto Charles G. King, of the parish of Baton Rouge in this state, also present and accepting, the two following slaves, to wit the Negro William, aged about nineteen years and the negress Hannah aged about thirty six years, warranted free from encumbrance and from the vices and maladies prescribed by law. To have and to hold the said slaves unto the said Charles G. King his heirs and assigns to his and their proper use and behoof forever. And the said Seller for himself and his heirs the said slaves unto the said C. G. King his heirs and assigns, shall and will warrant and forever defend against all persons whomsoever by these presents. Thus done and passed at New Orleans the eighteenth day of January one thousand eight hundred and nineteen in presence of Duncan and Hugh McGregor Mitchelly who hereunto sign with the parties and me notary.

Hugh McGregor Mitchelly John Lynd Not. Pub. James A. Grant Charles G. King

By this Instrument of Protest Be it Known that his day before me John Lynd notary public in and for the city and parish of New Orleans duly commissioned, personally appeared Jesse Wilson the master, Hiram Pendleton, Pilot or patron[?] and John Polson, and Joel Bowen, navigators of three flat-boats lately arrived in this Port, who having been duly sworn to declare the truth, deposed that they proceeded from the Port of Shippingport in the state of Kentucky in and with three flat-boats loaded with Flour and Apples sometime in the month of October last bound for this Port of New Orleans. That near Flint Island in the Ohio river, one of said boats got foul on the cable of the Steamboat Vesta there at anchor in the narrow channel and striking with great force against said Steamboat, stove in the bows of the flat boat, and she filled with water. They landed the cargo, which was considerably wet, raised and repaired the said boat, and after reloading, proceeded on to French Island in said river where the boats grounded. They purchased and loaded from the former, a fourth flat-boat; and being thus lightened, they proceeded. About the fifteenth day of December following they arrived at Plumb Point in the river Mississippi, where the smallest of the three first boats struck a snag and sunk almost immediately. There being there a strong gale of wind, notwithstanding their utmost exertions, the said flat-boat and everything on board was lost, that is to say, about twenty-five Barrels of Flour; Sixty Barrels of apples; a Mare, Dray and Harness. On the fifteenth day this present month, they arrived in this port with the remaining three flat-boats, without anything further extraordinary having occurred.

Whereupon the said appearers declared to protest, as by these presents, they do publicly and solemnly protest against all persons whom the same may or doth concern; against the difficulties and obstructions of the river and against inevitable accidents of whatsoever nature and kind, and particularly against the accidents aforesaid, for all loss, damage, and detriment suffered or to be suffered for, by, or on account of said flat-boats and the goods of their loading, declaring that the same happened as has been above recited and not through any fault [40] or mismanagement of these appearers or any person or persons on board of said boats on the voyage aforesaid. In faith whereof the said appearers have hereunto signed their names at New Orleans aforesaid this sixteenth day of January, one thousand eight hundred and nineteen, and the said notary grant these protests.

Zeke Wilson

Hiram Pendleton

John Polson

Joel Bowen

John Lynd
Notary Public

sign their names with me the said Notary

John Lynch
Notary Pub

James Campbell
Isaac Dean
Wills Guthrie

Protest
Hull. Lost
&c

Be it known that this day before me John Lynch notary public in and for the city and parish of New Orleans duly commissioned, personally appeared Floyd Hurt, late master of a Keel-boat and Dudley Jones bound on a voyage to this Port, and Zachariah Woods late ~~son~~ assistants on board of said, who having been duly sworn to declare the truth, deposed that said boat was loaded in the little Missouri River with a cargo of Peltry, bound for a voyage to this Port of New Orleans. On the twenty fifth day of April last being then about ten miles below the mouth of the Red River made fast for the night to the right Bank, a most violent storm came on from the North Eastward, which made the River excessively rough. The waves beat over the boat, and she was considerably injured by dashing against the Bank. They made every possible exertion to keep the boat clear by baling, but the water came in, in such quantities that the boat at length sunk. They saved about one half of the cargo; the other half sunk with the boat in deep water, and they found it impossible to raise her. They hired freight for the part of the cargo saved, and arrived in this Port on ~~the~~ Sunday the ninth instant.

Whereupon the said Master declared to protest, as by these presents he does publicly and solemnly protest against all persons whomsoever the same may or doth concern, against inevitable accidents of whatsoever nature and kind, and particularly against the storm aforesaid, for all loss and damage suffered or to be suffered by, or on account of said boat and cargo, declaring the same to arise from the causes aforesaid and not from any fault or mismanagement of them the said Master or any of the persons on board of said boat.

Thus done and passed at New Orleans aforesaid this tenth day of May, in the year one thousand eight hundred

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and nineteen, in faith whereof the said appearers have
sign their names with me Notary

Eloyd [illegible]
his
Zachariah X [illegible]
mark

Dudley Jones

J. Lynd
Not Pub

See Protest
Brig Joseph
Capt. Jas. Berry
May 11.

By this Instrument of Protest be it Known that on
before me John Lynd notary public in and for the
parish of New Orleans duly commissioned, personally
Isaac Berry master of the Brig called the Joseph of Bo
burthen about one hundred and fifty six tons, who de
that he sailed from Gonaive in the Island of St Domingo, on
twenty seventh day of March last bound for a voyage
said brig to this Port of New Orleans: That he had be
to cut the cable, and lost a part with the anchor, in
below this Port; and there noted his Protest, requiring
Notary to make record thereof, intending at more lei
to detail the particulars.

Whereunto this day again appeared the said Master
with Elkanah Clark — the mate and Thomas Br
a mariner on board of said Brig on the said voyage,
having been duly sworn to declare the truth, depose
they sailed in and with said brig as aforesaid, the
tight and staunch, well manned and provided,
nothing remarkable occurred on said voyage until
the nineteenth day of April following, being then at
with twelve other vessels, a few miles below this city
River. At meridian of said day a moderate fre
up from S. S. W. they loosed sails and endeavored
heave up the anchor, but found the same foul, a
supposed, of something at the Bottom. A fore-and
hauser having been bent to the crown of the anchor f
buoy-rope, they hove upon it at the windlass, until
broke. They rigged additional purchases, and use
possible exertion to raise the anchor, but in vain
was therefore unanimously agreed upon, in a consulta
held by the said master with the officers and crew
for the safety of the vessel, and the accomplishment

This protest not included as it involves only the loss of an anchor.

Be it Known that his day before me John Lynd notary public in and for the city and parish of New Orleans duly commissioned, personally appeared Floyd Hurt, last master of a Keel-boat bound on a voyage to this Port, and Zachariah Woods and Dudley Jones, late assistants on board of said [boat], who having been duly sworn to declare the truth, deposed that said boat was loaded in the Little Missouri River with a cargo of Peltry, bound for a voyage to this Port of New Orleans. On the twenty-fifth day of April last, being then about ten miles below the mouth of the Red River, made for the night to the right Bank, a most violent storm came on from the North Eastward, which made the River excessively rough. The waves beat on the boat and she was considerably injured by dashing against the Bank. They made every possible exertion to keep the boat clear by baling, but the water came in, in such quantities that the boat at length sunk. They saved about one half of the cargo; the other half sunk with the boat in deep water, and they found it impossible to raise her. They hired freight for the part of the cargo saved, and arrived in this Port on Sunday the ninth instant.

Whereupon the said Master declare to protest, as by these presents, he does publicly and solemnly protest against all persons whom the same may or doth concern, against inevitable accidents of whatsoever nature and kind, and particularly against the storm aforesaid, for all loss and damage suffered or to be suffered by, or on account of said boat and cargo, declaring the same to arise from the causes aforesaid and not from any fault or mismanagement of him the said master or any of the persons on board or said boat.

This done and passed at New Orleans aforesaid this tenth day of May in the year one thousand eight hundred [414] and nineteen, in faith whereof the said appearers herein sign their names with me, Notary.

Floyd Hurt

X Zachariah Woods

Dudley Jones

John Lynd
Notary Public

permit; also with power of substitution and revocation; this constituent hereby agreeing to ratify all that shall be lawfully done by virtue hereof. Thus done and passed at New Orleans the seventeenth day of October one thousand eight hundred and eighteen in the presence of George Pollock, and James Rinker, witnesses who hereunto sign their names with the constituent and me Notary.

George Pollock

James Rinker

Eph. W. Lattimer

Lawrence Pollock

Notary

By this public act of protest be it known that this day before me Lawrence Pollock Notary Public in and for the city of New Orleans, came Captain Nathaniel Wilkinson late Master, together with Joshua Robins Mate and J. Cutler, passenger, of the schooner Harriet of Norfolk, who having been duly sworn to declare the truth deposed, that they sailed in and with said vessel from Martinique bound to this port, with leave to touch at Saint Thomas, on the fourth day of August last, the said vessel being tight and strong with manned and provided, and having on board a cargo wine and liquors. They arrived at Saint Thomas on the 8th and left that Island on the 10th of same month: nothing material happened until the sixth day of September following when they spoke the ship Commodore Barry, Capt. Orme, who reported the Balize to bear West distant one hundred thirty eight miles. The 7th they stood to N. and W. with squally and baffling winds. The 8th at Meridian the wind hauled to N. N. E. and they set square sail and standing sails: at 4 it fell nearly calm continuing with little wind at midnight it blowed up from the Northward, at 2 A. M. the thunder came on thick and half an hour after lowered the Mainsail and topsail on account of a squall, which having passed over they were hoisted again at 3 A. M. At 3. 30 the vessel struck the Bottom, and stuck fast. All hands were immediately called and every exertion made to heave off, but to no purpose. At day light the vessel position was found to be about eight miles to the southward of the Balize. At 7 A. M. a whaleboat with six pilots came to their assistance from the Balize, but their aid being ineffectual, the boat went back for lighter, leaving one pilot on board, on pump being kept constantly going, and the sea rising. The 9th commenced with heavy blowing weather, the vessel striking hard, and leaking; by dint of heaving together head to the sea with both bowers ahead. At 2 A. M. the tide began to rise and the vessel striking still harder the Pilot ordered the bower to be cheased to the stern, and the vessel run further on the shore in order to make her lie easier, which was done, all sail made and the bower cheased. At 10 A. M. commenced landing

barge, and got some Boxes on shore, 152 in number; next day landed 179 others, and during
the 16th in the evening went to the Balize; the wind all the time blowing hard on shore, and
the sea striking very hard against the wreck. The 17th one of the Master Pilots arrived and launch
and they endeavored discharging barge, but the Boat was prevented that day and the next from
returning to the wreck by the bad weather. The 18th the sea continued the same the wind high and
the sand, and a Boat from the United States Ship Prometheus came and offered assistance, but the
weather prevented them from doing more than helping the Boats from the shore to the wreck,
in the afternoon of same day the Master Pilot came with his large Pilot Boat and a second
launch with eight men. The 19th was employed in unloading barges from the wreck to the
Pilot Boat aided by other men sent from the Prometheus; and on the 15th the people
removed to the Pilot Boat, being no longer safe in the wreck. On the 17th all the barge from
the shore (except about twenty Boxes which had been washed away by the overflowing of
the wreck) and all that remained on board the wreck, with such materials of the
latter as could be saved, were removed to the Pilot Boat and launches, and sent
off to the Balize. The 18th they abandoned the wreck of the Clarissa. During all
these operations they had continual heavy Gales, blowing for great part of the time
on shore, during which one of the Pilot Launches was upset, by which five
barks of men were lost, and three of the Pilots had nearly lost their lives. +
the appearers thereupon did protest, and at their request I the said Notary do
with them publickly and solemnly protest against the winds, and waves, and
burnt, as the causes of all the loss and damage that have been suffered by said
vessel and barge, and that the same ought not to be imputed to any fault, or
negligence or mismanagement of the appearers nor the others of the ships
company. Thus done and protested at New Orleans this seventeenth day of October
one thousand eight hundred and eighty, the protestors hereunto signing their names
with me Notary

Gardill O'Rourke
N. O. Jones

N. P. Wilkinson
Joshua Robins
James Carter

Be it known that this day before me Gardill O'Rourk Notary public in and for the
City of New Orleans come Nancy Mc. Ball of this city who declared that she does by these
presents grant bargain and sell unto Thomas Beale alias of this city, present and
accepting, a Negro slave named Abby, aged about thirty years warranted
free from encumbrance and from debts and maladies provided against by

and in this city
th of September,
that day the master
protest or other
upon taken by and
public of this

By this public act of protest be it known that this day before me Carlisle Pollock, Notary Public in and for the city of New Orleans, comes Captain Nathaniel Wilkinson, late Master, together with Joshua Robins, mate, and J. Cutler, passenger, of the Schooner Clarissa of Norfolk, who having been duly sworn to declare the truth deposes that they sailed in and with said vessel from Martinique bound to this port, with [illegible] to touch at Saint Thomas, on the fourth day of August last, the said vessel being tight and strong, well manned and provided, and having on board a Cargo [illegible] and Liquors. They arrived at Saint Thomas on the 8th and left that Island on the 10th of same month, nothing material happened until the sixth day of September following when they spoke[?] the ship Commodore Bering[?], Capt. Russel [Runnel?], who reported the Balize to lay west a distant one hundred thirty-eight miles. The 7th they stood to N. and W. with squally and baffling winds. The 8th at meridian the wind hauled to N.N.E. and they set square sail and studding sails; at 4 it fell nearly calm continuing with little wind; at midnight it breezed up from the Northward; at 2 A.M. the Master came on deck and half an hour after bound the mainsail and topsail on account of a squall, which having passed over they were hoisted again at 3 A.M. At 3:30, the vessel struck the Bottom and stuck fast. All hands were immediately called and every exertion made to heave off, but to no purpose. At daylight the vessel's position was found to be about eight miles to the southward of the Balize. At 7 A.M. a whaleboat with six pilots came to their assistance from the Balize, but their aid being ineffectual, the boat went back for lighters, leaving one pilot on board, one pump being kept constantly going, and the sea rising. The 9th commenced with heavy blowing weather, the vessel striking hard, and leaking, by dint of having got her head to the sea with both cables ahead. At 2 A.M. the tide began to rise and the vessel striking still heavier the Pilot ordered the cables to be shifted to the stern, and the vessel run further on the shore in order to make her lie easier, which was done, all sail made and the cables slipped. At 10 A.M. commenced landing [637] cargo, and got some Boxes on shore 152 in number, next day found 179 other Boxes out to the Balize; the wind all this time blowing hard and the sea striking very hard against the vessel. The 11th one of the Master Pilots arrived in a launch and they continued discharging Cargo, but the boat was prevented that day and the next from returning to the vessel by the bad weather. The 13th the sea continued to heave the vessel higher on the sand and a Boat from the United States, Brig Prometheus, came and offered assistance, but the weather prevented them providing more than helping the Master from the boats from the shore to the vessel; in the afternoon of same day, the Master Pilot came with his large Pilot Boat, and a second launch with eight men out from the Prometheus; and on the 15th the people removed the Pilot Boat, being no longer safe in the marsh. On the 17th all the Cargo from the shore (except about ninety Boxes which had been washed away by the overflowing of the marsh) and all that remained on board the wreck, with such materials of the latter as were to be found, were removed to the Pilot Boat and launches, and sent off to the Balize. The 18th they abandoned the wreck of the Clarissa. During all these operations there had continued heavy gales, blowing for great parts of the time ***on shore, during which one of the Pilot launches even upset, by which six casks of wine were lost, and three of the Pilots had nearly lost their lives. The appearers thereupon did protest, and at their request the said notary do with them publicly and solemnly protest against the winds, and Waves, and currents, as the causing of all the loss and damage that have been suffered by said vessel and Cargo, and that the same ought not to be imparted to any fault or negligence or mismanagement of these appearers nor the others of the ship's company. Thus done and protested at New Orleans this seventeenth day of October, one thousand eight hundred and eighteen, the protesters hereunto signing their names with me, notary.

***[Note to the side of text]
They arrived in this City on the 27th of September and on that day the Master noted his protest in clear form before John Lynd, Notary Public of this City.

N.P. Wilkinson

Joshua Robins

James Cutter

Carlisle Pollock
Notary

[illegible] and for the city of New Orleans come the Demoiselles [illegible] 29 Feb

By this further act of protest be it known that on the first day of this current month before me Carlos Pollock Notary public in and for the city of New Orleans came James Adams, late Mate of the ship General Knox of New Orleans, who declared that he had sailed in and with said ship under the command of Captain Augustus Lebrat from Vera Cruz bound for this port on the fifth day of September last, and that said ship having been abandoned at sea in great distress, the Officers and crew had got into three Boats, two of which had arrived here by way of Barataria, in charge of their officers, the said Master with the Long Boat having as is supposed made for the Balize, and not yet heard of; and he required of me to note this his declaration, that it might serve in case of need hereafter. And this day appeared the said Captain Augustus Lebrat, together with said James Adams and Hypolite La Rose of and belonging to said ship General Knox, who having been duly sworn to declare the truth deposed, that when they sailed as before mentioned from Vera Cruz, the said ship was tight and strong, well manned and provided, and was sailed by Captain Lawson late of the Brig Cayman, and his crew, whom we had been with at Vera Cruz. That nothing material happened until the 22d September when a heavy Gale accompanied by rain came on, and the Royal Mast and topgallant yards were got down, and the topsails close reefed; a heavy sea running and the ships began to leak so as to require pumping every thirty minutes. The next day the weather was more moderate but the 24th it blew a very hard Gale, which towards 3 A. M. increased to a perfect Hurricane. The ships laboured excessively and in spite of all their efforts to keep her free, the Water increased to three feet in the Hold; and after consultation held by the Master and his Officers, and aided therein by Captain Lawson, and three of his people who were qualified to advise, it was judged necessary for the preservation of their lives and every thing outboard, to cut away the Mizzen and Main Mast, which were accordingly cut away, and all hands were employed pumping and doing every exertion to save the ships. The 25th the sea was still tremendous, pumps and buckets were employed to keep the ships free, and long Masts were got up. At one P. M. it was determined by consultation to stand to the Leeward and for the safety of the ships and their lives, and to have all the Boats ready for an in case of need; the 26th began

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by act before

with light breeze and clear weather, all hands employed pumping and baling. The pumps at last got choaked with sand, and the Power broke: hoisted the pumps on deck and got them down the after Hatchway, but they got choaked again immediately and they were obliged to break the Power to get them out, and then their whole dependence was upon Buckets. But the buckets soon got broken, and the people became exhausted with fatigue. And now the wind blew so light and the swell so great that the ship would not steer; the Water gaining on them, abandoned of saving the vessel at an end, and the weather so good as to afford a remote Hope that the lives of all on board might be saved by the Boats, it was resolved at a general Council that it was expedient to abandon the vessel and take to the Boats: at 10 A. M. every thing was got ready, the boats out, provisioned, and the number of persons assigned to each, the Power of money, belonging to the Cargo, also stowed in each Boat according to its capacity; and at half past ten they left the ship, she having then six feet Water in the Hold. The Mate with the boat under his command, consisting of seven men, and another commanded by Captain Lanoux, with six men, arrived by way of the Barataria Lakes and Bayous, as before mentioned, and the Master in the Long Boat with sixteen hands entered the Mississippi, and reached this City yesterday afternoon, with all the Money safe. Then appears thereupon declare & protest solemnly against the Winds and Waves as the cause of the loss of said Ship and the Cargo left on board, which baffled all human skill and exertion. And that no fault, negligence nor mismanagement ought to be imputed to them then appears nor the others of said ship, coming thereafter and protested at New Orleans this third day of October One thousand eight hundred and seventeen. The protesters hereunto signing their names with me Notary

Geo. Pollock
Stay Liberally
Wm Jack
James Morris
Geo. L. Nowell

By this public act of protest be it known that on the first day of this instant month before me Carlisle Pollock, Notary public in and for the city of New Orleans came James Adams, late mate of the Ship General Knox of New Orleans, who declared that he had sailed in and with said ship under the command of Captain Augustus Liberale from Vera Cruz bound for this port on the fifth day of September last, and that said ship having been abandoned at sea in great distress, the officers and crew had got into three Boats, two of which had arrived here by way of Barritaria, in charge of this appearer, the said Master with the Long Boat having as is supposed made for the Balize, and not yet heard of; and he required of me to note this his declaration, that I might serve in case of need hereafter. And this day appeared the said Captain Augustus Liberale, together with said James Adams and Hippolite La Moin[?] of and belonging to said ship General Knox, who having been duly sworn to declare the truth deposed that when they sailed as before mentioned from Vera Cruz, the said ship was tight and strong, well manned and provided, and was aided by Captain Lancer[Lanair?] late of the Brig Cayman, and his crew, whose vessel had been sold at Vera Cruz. That nothing material happened until the 22nd September when a heavy gale accompanied by rain came on, and the Royal Masts and topgallant yards were got down, and the topsails also reefed; a heavy sea running the ship began to leak so as to require pumping every thirty minutes. The next day the weather was more moderate, but the 24th it blew a very hard Gale, which towards 3 A.M. increased to a perfect Hurricane. The ship labored increasingly and in spite of all their efforts to keep her free, the water increased to three feet in the Hold; and after consultation held by the Master and his officers, and aided therein by Captain Lancer[?], and then of his people who were qualified to ordain, it was judged necessary for the preservation of their lives and everything on board, to cut away the mizzen and main mast, which were accordingly cut away, and all hands were employed pumping, and using every exertion to save the ship. The 25th the sea was still tremendous, pumps and buckets were employed to keep the ship free, and every masts were got up. At one P.M. it was determined by consultation to [illegible] to the latter [?] and for the safety of the ship and their lives, and to have all the Boats ready for use in case of need. The 26th began [208] with light breezes and clear weather, all hands employed pumping and baling. The pumps at last got choked with sand, and the Bower broke: hoisted the pumps on deck and got them down the after Hatchway, but they choked again immediately and they were obliged to break the Bower to get them out, and then their whole dependence was upon Buckets. But the buckets soon got broken, and the people became exhausted with fatigue, and now the wind being so light and the swell so great that the ship would not steer; the water gaining on them, all pretext of saving the vessel at an end, and the weather as good as to afford reasonable Hope that the lives of all on board might be saved by the Boats, it was resolved at a general council that it was prudent to abandon the vessel and take to the Boats. At 10 A.M. everything was got ready, the boats out, garrisoned, and the number of persons assigned to each, the Boxes of money belonging to the Cargo, also stowed in each Boat according to its capacity; and at half past ten they left the ship, she having then six feet water in the Hold. The mate with the boat under his command [inserted text illegible] and another commanded by Captain Lancer[?] arrived by way of the Barrataria Lakes and Bayous, as before mentioned, and the Mate in the Long Boat with sixteen persons entered the Mississippi, and reached this city yesterday afternoon, with all the money safe. These appearers thereupon declared to protest solemnly against the winds and waves as the cause of the loss of said ship and the Cargo left on board, and which baffled all human skill and exertion; and that no fault, negligence nor mismanagement ought to be imparted to them these appearers nor the others of said ship's company. Thus done and protested at New Orleans this third day of October, one thousand eight hundred and seventeen. These protesters hereunto signing their names with me, Notary.

Carlisle Pollock

Alex. Liberale
James Adams
Hipte. La Moin[?]

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UNITED STATES OF AMERICA.

State of Louisiana:

CITY OF NEW ORLEANS.

By this Public Instrument of Protest,

BE IT KNOWN, That on the Twentyseventh day of November in the year of our Lord one thousand eight hundred and fifty one and of the Independence of the United States of America, the Seventy sixth, Before me, Jacob Snia, A NOTARY PUBLIC, in and for the Parish of ORLEANS, dwelling in the city of New Orleans, State of Louisiana, duly Commissioned and Sworn, PERSONALLY CAME AND APPEARED,

John. C. Dillon, master of the Steam Boat Jeff Davis, and Keel Boat Cincinnella, No. Two, who desired one Notary to extend his Protest, = and with him also came and appeared, Alexander Sigall, as Passenger on said Boat,

which said appearer after having been duly sworn by me, the said Notary, upon the Holy Evangelists of Almighty God, voluntarily, freely and solemnly declare and depose as follows, to wit: he left Point Sefline, yesterday Noon, on the Fifteenth of November instant, having in tow the Keel Boat Cincinnella No Two bound for the Port of Nickling with a cargo of Cargo of Cotton that when they started as aforesaid, the said Keel Boat was stout, staunch and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled and appareled and appointed; and was in every respect fit for sea and the voyage she was about to undertake: Nothing materially occurred until when about Forty Miles below Point Sefline, on the same day, the Keel Boat struck a Snag or Log hidden under the waters, which caused her to strike frost, they immediately commenced pushing her off by the Steam Boat Jeff Davis, and in doing so, the Keel Boat sunk, and filled with about four feet water, they immediately lashed the Jeff Davis alongside of the Keel, and commenced taking the Cotton out of her on to the Jeff Davis, and succeeded in saving one hundred and fifty five Bales of Cotton a portion of which having floated

down the River nearly a mile from where the Keel Boat sunk; all hands commenced the pumping the Keel Boat out, and succeeded in raising her; then reshipped on Board of the Keel Boat a portion of the damaged Cotton; and then proceeded on their voyage with the Keel Boat until they reached Trélay's Landing, they then took off the Cotton from the Keel Boat on to the Jeff Davis and left the Keel Boat there; and then proceeded on their voyage until they arrived at Vicksburg, on the Twenty first instant; on the Twenty second instant they reshipped all the Cotton board of the Jeff Davis, on the Steam Boat Tuscumbia and he said Master left the Steam Boat Jeff Davis there; and he the said Master arrived here this day with the Cotton on Board of the Steam Boat Tuscumbia

And he the said Master went before a Justice of the Peace in Gayoso Co on the Twenty sixth instant, and made his Protest of the accident above mentioned.

Now, therefore, because of the premises, and as all the loss, damage and injury which already have or may hereafter appear to have happened or accrued to the said Keer Brar or her said cargo, has been occasioned solely by the circumstances herein before stated, and cannot nor ought not to be attributed to any insufficiency of the said Keer Brar or default of him, the said Master his officers or crew; he now requires me the said Notary, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue, as of right shall appertain. And thereupon the said Master doth PROTEST, and I the said Notary, at his special interest and request, do by these presents **Publicly and solemnly Protest against Winds, Weather,** and assisting

3 3

and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Keer Brar or her cargo, already has, or hereafter shall appear to have suffered or sustained damage or injury, for all losses, costs, charges, expenses, damages and injury, which the said Keer Brar the owner or owners of the said Keer Brar or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by, through or on account of the premises, or for which the insurer or insurers of the said Keer Brar or her cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; so that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall upon him the said Master his officers or crew

THUS DONE AND PROTESTED, at my office in the city of NEW ORLEANS, this Twenty second day of November in the year of our Lord one thousand eight hundred and forty nine in the presence of Daniel D. Richards and Adam G. Smith both of this city, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

D. D. Richards

A. J. Smith

John C. Ellis Capt

Alexander A. Lyall

Jacob Soria

Not. Pub.

United States of America, State of Louisiana, City of New Orleans

By this public Instrument of Protest, Be it Known, That on the seventh day of November in the year of our Lord one thousand eight hundred and fifty-one~, and of the Independence of the United States of American, the seventy-sixth, Before Me, Jacob Soria, a Notary Public in and for the Parish of Orleans, dwelling in the City of New Orleans, State of Louisiana, duly Commissioned and Sworn, Personally Came and Appeared John C. Diltoe, Master of the Steam Boat Jeff Davis, and Keel Boat Cinderella No. Two, who desired me Notary to extend his Protest: = and with him also came and appeared Alexander J. Syall, a Passenger on said Boat~~ which said appearer after having been duly sworn by me, the said Notary, upon the Holy Evangelists of Almighty God, voluntarily, freely, and solemnly declare and depose as follows, to wit: he left Point Sefline, Yazoo River, on the Fifteenth of November instant, having in tow the Keel Boat Cinderella No. Two bound for the Port of Vicksburg~~ with a Cargo of Cotton~ that the said Keel Boat was then stout, staunch, and strong; had her cargo well and sufficiently stowed and secured; was well manned, tackled, victualled, appareled, and appointed; and was in every respect fit for sea and the voyage she was about to undertake:

> Nothing materially occurred until when about Fifty miles below Point Sefline, on the same day, the Keel Boat struck a Snag or log hidden under the water, which caused her to stick fast; they immediately commenced freeing her off by the Steam Boat Jeff Davis and in doing so, the Keel Boat sunk, and filled with almost four feet water; they immediately lashed the Jeff Davis alongside of the Keel and commenced taking the Cotton off of her into the Jeff Davis, and succeeded in saving one hundred and fifty-five Bales of Cotton, a portion of which learning floated down the River nearly a mile from where the Keel Boat sunk, all hands commenced then pumping the Keel Boat out, and succeeded in raising her, then reshipped on Board of the Keel Boat a portion of the damaged Cotton; and then proceeded on their voyage with the Keel Boat until they reached Friday's Landing, they then took off the Cotton from the Keel Boat onto the Jeff Davis and left the Keel Boat there; and then proceeded on their voyage until they arrived at Vicksburg on the Twenty-first instant. On the Twenty-second instant they reshipped all the Cotton bales of the Jeff Davis on the Steam Boat Tuscumbia and the said Master left the Steam Boat Jeff Davis there; and he the said Master arrived here this day with the Cotton on Board of the steam Boat Tuscumbia.
>
> And he the said Master went before a Justice of the Peace in Yazoo City on the Twentieth instant, and with his Protest of the accident above mentioned ~~

Now therefore, because of the premises, and as all the loss, damage and injury, which already have or may hereafter appear to have happened or accrued to the said Keel Boat and her said Cargo, have been occasioned solely by the circumstances herein stated and cannot nor ought not to be attributed to any insufficiency of the said Keel Boat or default of him, the said Master, his officers or crew; he, now requires me, the said Notary, to make his PROTEST and this public act thereof, that the same may serve and be and remain in full force and virtue as of right shall appertain. And thereupon the said Master doth PROTEST and I the said Notary, at his special interest and request do by these presents Publicly and solemnly Protest against Winds, Weather, and sinking, and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said Keel Boat or her cargo, already has, or hereafter, whereby or by means whereof sustained damage or injury, for all losses, costs, charges, expenses, damages and injury, which the said Keel Boat, the owner or owners of the said Keel Boat or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have or may hereafter pay, sustain, incur, or be put unto by, through or on account of the premises, or for which the insurer or insurers of the said Keel Boat or her

cargo is or are respectively liable to pay or make contribution or average according to custom, or their respective contracts or obligations; so that no part of such losses and expenses already incurred, or hereafter to be incurred, do fall upon him the Master , his officers or crew.

THUS DONE AND PROTESTED, at my office in the city of NEW ORLEANS**,** this Twenty-seventh day of November in the year of our Lord one thousand eight hundred and fifty-one in the presence of Daniel J. Picardo [?], and [first name illegible] J. Soria both of this city, competent witnesses, who hereunto sign their names, together with the said Appearers, and me, said Notary.

[Signatures] D. J. Picardo [?], A. J. Soria, John C. Diltoe {Capt.}, Alexander J. Syall, Jacob Soria, Not. Pub.

Pierre Duffrichet

Donation entre vifs et irrévocable faite par Jean Baptiste Bordenave à Renette Apollon

Par devant moi soussigné et les témoins ci-après nommés et signés, a été présent le sieur Jean Baptiste Bordenave, propriétaire, demeurant en cette ville, lequel a volontairement et de son plein gré donné et par les présentes donne irrévocablement et irrévocablement entre vifs et irrévocablement à titre de donation entre vifs et irrévocable à la meilleure forme que donation puisse valoir, à Renette Apollon, femme de couleur libre, demeurant en cette ville, ici présente et acceptant, tous les biens meubles et immeubles dont le donateur se trouve actuellement et légalement disposer au moment de son décès, pour en jouir par la donataire en pleine et entière propriété, à compter du jour du décès du donateur.

Tel est le présent acte de donation que le donateur a fait à la donataire qui l'accepte, dans sa maison située au coin des rues Bourbon et Dauphine de cette ville, les jour, mois et an que dessus, à 9 heures de l'après midi, en présence de Jean Baptiste Bordenave, Charles Savary, Auguste Théodore, et Pierre Stagier, tous deux amis communs des futurs époux qui ont signé avec le futur et non notaire, la future ayant déclaré ne savoir signer, après lecture faite.

Jean Bt Bordenave

Renette Apollon

Bordenave

Ch. Savary

Auguste Théodore

P. Stagier

Carlisle Pitts

Notarial Archives Research Center
1340 Poydras St. Suite 360
New Orleans, LA 70112

By this public act of Donation be it known that on this Twenty Sixth day of December eighteen hundred and thirty six before me Carlile Pitts a notary public in and for this city of New Orleans duly commissioned personally came and appeared Laurent Palmer master of the steam boat called the Fort Adams of Fort Adams, together with Charles Stewart Morse, John Connell, Pilot, William Flanning and John Burnes engineers of Lucius Smith Carpenter all of and belonging unto said steamboat, who being freely sworn to declare the truth unto said steamboat, who being freely sworn to declare the truth

The crew deposed that said steamboat being light and very
well manned, fitted and provided and partially loaded
with cotton, they departed with her from Coles Creek on the Mis-
sissippi some fifteen miles above this place with fair weather and some
day reached Natchez, where they took in some Rice and pro-
ceeded from this place, and again proceeded: on the seventh day
reached Fort Adams, where the Steamboat completed her load-
ing, and taking also a load in some Cotton: on the eighth the
Steamboat being inspected over and in fair running order
they departed from Fort Adams to continue their intended
voyage with the Rig lashed to their starboard side: toward
the latter part of the night came on to blow heavy, with
considerable sea on the River: at 7 P.M. stopped at the Wood
Yard opposite to Turnip Island to replenish their fuel
during this time the wind and sea increasing and the
night setting in dark with every appearance of a storm
the Master determined to lay by until morning: at
9 or 11 A.M. the weather moderating they got underway:
but at daylight it again came on to blow heavy, wind
up stream, gale rapidly increased to a gale causing a tolera-
ble chopping sea against the current which moved both
the steamboat and the Rig fast and strain excessive:
at 8 A.M. found the boat was leaking, and examination
being immediately made, they discovered that the hold
was rapidly filling, on this emergency, the master com-
manded stores from the stern, standing on the same time the
crew of the Rig to prepare to cast off, this was not known
done until they came very near, when the Rig came
in contact with and the boat shooting ahead took the
point on Fort Madison bar above Thompson and
with her bows in shore, and touching slightly, but very
moderately, caused not even the leaks received at the bottom
before stove off to Bank. A stage was not rigged for
crew to secure further remains of their lost life they
continued without the delay. Means the large foundered

in the mean time the distress respecting the Bayou Sarah steamboat Newcastle rather increased, and the confusion was scarcely to be equal the stables to quell them. Throughout the boat rather happily lightened; at about 4 P.M. they had got the greater part of the cargo down from the deck, when the Pilots came along side, took off a considerable quantity of the cotton and stuck boards as the crowd carry of the cargo that had been landed, under water during the night. On the 16th the boat was lying in the same state, hulled full of water, up to nearly the greater part of the deck, her bow on the Bank, and aground aft, and having about 17 feet water amidships; in this dangerous situation in fair weather instant of breaking up, the master deemed it necessary for the interest of all concerned to proceed to this place for assistance, and accordingly departed in the afternoon, during the remainder of the day and the days following, the mate and crew in pursuance of the instructions left by the master employed themselves without discontinuance in saving the cargo from the hold, and in freeing the boat from the weight of the engines, having first made an ineffectual attempt to launch them by means of the tackle. On the 19th the master returned to the boat, when being aware that but little hope could be entertained of saving her, it was determined to remove the loss as much as could be by stripping her of her machinery and stock, other articles and materials as might be saved, this concerns also resorted to because the boat being aground so much the more lightness would be ~~[illegible]~~ the less liable to be stuck asunder, and easier to raise if circumstances should become more favorable; on the 15 got a flat boat and discharged into her a considerable part of the machinery and many articles of the boat, on the 18, they had got out the greater part of the cargo, on the 19th the boat being much disencumbered they endeavoured, they endeavoured to get out the engines but, as the place being full of water they could not accomplish their purpose until they had cut up the deck, prior aft, this being done on the 21st they shipped by the steamboat Baton Rouge, a part of the damaged cotton, and of the machinery, on the 22d got from the hold the remainder of the cargo, on the 23d manned the flat and started her for New Orleans, on the

on the same day shifted the balance of the cargo and materials saved, onboard the steamboat Huntsville, and abandoned the wreck as being impracticable to save from her anything more or do anything further towards raising her, and further said appearer declared that of the whole cargo, which consists of One thousand and eight bales of cotton, whereof one half has been more or less damaged, and twelve bales have been totally lost supposed to have floated off during the discharge.

And thereupon these appearers and each severally the said master and pilot and with him at his request and on behalf of the freighters most publickly and solemnly protest against the heavy weather experienced by said boat as a peril and against the sea and currents of the Mississippi River and against all the loss and damage suffered and sustained by said boat and her cargo, and that no fault negligence or mismanagement ought to be imputed to these appearers nor to any other of said Boats company.

Done and protested at New Orleans on the day month and year herein first before written the protestors hereunto respectively name with me notary.

Lyman Palmer Master
William M Fleming
Lucius Smith
John Byrne
Charles Stuart
John W Bennett

Carl Dorvin

Be it the public act of Protest be it known that on this thirty eight day of December eighteen hundred and thirty six before me Charles Pollock a notary public in and for the city of New Orleans duly commissioned personally came and appeared Josiah Hartland master of the Schooner called the Hilliard of New Orleans, together with James Oliver mate of said belonging, who being duly sworn to declare the truth deposed that said vessel being light bound to Mobile and on board

By this public act of Protest be it known that on this Twenty-sixth day of December eighteen hundred and thirty-six before me Carlisle Pollock, a notary public in and for this city of New Orleans, duly commissioned, personally came and appeared Laurent Palmer, master of the steam boat called the Fort Adams of Fort Adams [Miss.], together with Charles Stewart, mate; John W. Bennett, Pilot; William Fleming and John Burnes, Engineers; & Lucious Smith, carpenter, all of and belonging unto said steamboat, who having been duly sworn so declare [562] the truth deposes that said steamboat being light and very well manned, fitted, and provided, and partially laden with cotton, they departed with her from Coles Creek on the Mississippi bound for this place on the Sixth instant, on the same day reached Natchez where they took in Tow the Brig Augustus bound for this place, and again proceeded. On the seventh day reached Ft. Adams, where the Steam Boat completed her loading, and the brig also took in some cotton. On the eighth the steamboat being inspected over and in fair running trim, they started from Fort Adams to continue their intended voyage with the Brig lashed to their starboard side. Toward the latter part of the day it came on to blow heavy, with considerable sea on the River; at 7 P.M. stopped at the wood yard opposite to Tunica Island to replenish their fuel, during this time the wind and swell increasing in the night. Setting in dark with every appearance of a storm, the Master determined to lay by until morning. On the 9th at 4 A.M. the weather moderating they got underway, but at daylight it again came on to blow heavy, wind upstream, gradually increased to gale, causing a laborsome chopping sea against the current which made both the steamboat and the Brig pitch and strain excessively. At 8:30 found the boat was leaking, and examination being immediately made, they discovered that the hold was rapidly filling; in this emergency, the master caused her to be steered for the shore, directing at the same time the crew of the Brig to prepare to cast off. This was not, however, done until they came very near, where the Brig unlashed and came to anchor and the boat shooting ahead which she passed on Port Hudson but a little above Thompson Creek with her head on shore, and touching abaft lines were moderately carried out and the boats secured as to prevent her from sliding off the Bank. A stage was neat rigged forward, and to prevent further damage if not total loss, they commenced without further delay [illegible] the cargo from the deck [563] in the mean while the clerk was dispatched to Bayou Sarah to bring the steamboat Huntsville to obtain assistance, and the carpenters were set to work to box up the [illegible] to enable them if possible to save the boat when sufficiently lightened. At about 4 P.M. they had got the greater part of the cargo loaded from the decks, when the Hunstville came alongside, took off what remained on the decks and such portion as she could carry of the cargo that had been landed and departed during the night. On the 10th the boat was lying in the same state, her hold full of water, up to and over the greater part of the deck, her bow on the Bank and [illegible] abaft, and having about 17 feet of water amidships; in this dangerous situation in peril every instant of breaking up, the master deemed it necessary for the interests of all concerned to proceed to this place for assistance and accordingly departed in the afternoon; during the remainder of the day and the days following, the mate and crew in providence of the instructions left by the master employed themselves without discontinuance in saving the Cargo from the Hold, and in freeing the boat from the weight of the engines, having first made an ineffectual attempt to pump her out by means of the latter; on the 14th the master returned to the boat, whence being evident it was but little hope could be entertained of saving her, it was determined to reduce the loss as much as could be by stripping her of her machinery and such other articles and materials as might be saved, this course was also resorted to because the boat being so much the more lightened would be the less liable to break asunder and easier to raise if circumstances should become more favorable. On the 15th got a flat boat and discharged into her a considerable part of the machinery and materials of the Boat; on the 18th they had got out the greater part of the engine; on the 19th the boat being much disencumbered they endeavored to get at the cargo in the hold, but the place being full of water they could not accomplish their purpose until they had cut up the deck fore and aft, this being done on the 21st they shipped by the steamboat Baton Rouge a part of the damaged cotton and of the machinery. On the 22nd got out from the hold the remainder of the Cargo. On the 23rd, manned the flat and

started her for New Orleans, [564] and on the same day shipped the balance of the Cargo and materials saved on board the steamboat Huntsville, and abandoned the wreck, it being impracticable to save from her anything more nor to do anything further towards raising her. And further said appearers declared that of the whole cargo, which consisted of one thousand and eight bales of cotton, upwards of one-half has been more or less damaged, and that several bales have been totally lost, supposed to have floated off during the discharge. And thereupon these appearers and especially the said master and present and with him at his request [illegible] do by these presents most publicly and solemnly protest against the heavy weather experienced by said boat as aforementioned and against the seas and currents of the Mississippi as the causes of the loss and damaged suffered and sustained by said boat and her cargo, and that no fault, negligence, nor mismanagement ought to be imparted to these appearers nor to any others of said Boat company.–

Done and protested at New Orleans on the day, month, and year herein first before written, the protestors hereunto sign by their names with me, Notary.

Lawrence Palmer, Master

William M. Fleming

Lucius Smith

John Byrne

Charles Stuart

John W. Bennett

Carlisle Pollock,
Notary

Sale and
Orleans
7 Dec.

Be it known that this day before me, John Lopez Notary public in and for this city of New Orleans personally appeared William Harper and Richard Relf both of this city, Merchants, the said Richard Relf being one of the Executors testamentary of the late Donald Clark, and also a copartner of Burtley Chew also of this city, and him trading under the firm of Chew and Relf, which said appearers mutually covenanted agreed and declared as follows, to wit;

The said William Harper does by these presents grant bargain sell assign transfer and set over unto Richard Relf and Burtley Chew, Executors testamentary of the said late Donald Clark, and unto the said Chew and Relf, their respective successors, heirs, and assigns, all and singular the goods and merchandise now in his store, and belonging to him, in his line of Business as a Shipchandler, and together with the said Stock in trade, the Debts now outstanding and due to his said Establishment, according to the Books of Record, and other Vouchers now in said Store, without any reserve to have and to hold the same to the said Executors and the said Chew and Relf, their respective successors, heirs and assigns, to their proper use and behoof forever. And the said William Harper doth by these presents also appoint and in his place and stead put the said Burtley Chew and Richard Relf, their heirs and assigns, to be jointly and severally his Attorney and Attorneys, irrevocable, giving unto them and each of them full power for him in his name, but in their behalf and to the sole use and behoof of the

a Negro slave named Lewis, aged about twenty six years, and another Negro slave named Isaac aged about twenty seven years, free from encumbrance; and he hereby binds and obliges himself and his heirs not alienate or encumber the slaves aforesaid to the prejudice of this mortgage until final and complete payment made of the said sum in manner aforesaid. Thus done and passed at New Orleans this fourth day of December one thousand eight hundred and thirteen in presence of George Pollock and Jacques Blanc witnesses who hereunto sign their names with the parties, John C. Faulkner being here present and accepting for himself and his partner William Flower, composing the said firm of Flower and Faulkner, and me Notary

Flower & Faulkner
By J. C. Faulkner
Chas. Peale
John Lyd
George Pollock
Jacq Blanc
J. F. Rist

Protest
7 Dec

By this public Act of Protest be it known that this day before me the undersigned Notary public in and for this city of New Orleans personally appeared Captain James Sandford, late Master of the Schooner Rapid of this port of the burthen of about forty three tons, who having been duly sworn to declare the truth deposed that he sailed in and with said Schooner from this place on the 25th day of last month, and from the Balize on the 28th of same month, bound for the Havana; that about 11 A. M. a Ship was perceived in chace: the Schooner was already clear upon a wind, and accordingly; and at one P. M. they carried away the foreyard, which obliged them to take in the foresail; and they then continued under Mainsail hd and foretopsail: the wind blew heavy, with a rough crossa, and at three P. M. the Schooner capsized; at 10 minutes past four the Ship in chace came up, and her Captain and the other persons onboard; the

Sea Protest
7 December

[557] By this publick [sic throughout] Act of Protest be it known that this day before me John Lynd notary publick in and for this city of New Orleans personally appeared Captain James Sandford, late Master of the Schooner *Rapid* of this port of the burthen of about forty three tons, who having been duly sworn to declare the truth deposed that he sailed in and with said Schooner from this place on the 25th day of last month, and from the Balize on the 28th of same month, bound for the Havana; That about 11 A. M. a ship was perceived in chase; the Schooner was already close upon a wind, and so continued; and at one P. M. they carried away the fore gaff, which obliged them to take in the foresail; and they then continued under mainsail, jib and fore topsail; The wind blew heavy, with a rough cross sea, and at three P. M. the Schooner upset; at 10 minutes past four the ship in chase came up, and her boats took this appearer and the other persons onboard; she proved to be his Britannick [sic] Majesty's ship *Herald.* The appearer therefore declared solemnly to protest against the said ship Herald as the cause of the total loss of the said Schooner, her Cargo, and all her papers, including her Register and other documents furnished to her by the collector of the Customs

[558] for this port, and that no fault, negligence nor mismanagement ought to be imparted to them this appearer nor any other of the Ships company. Thus done and protested at New Orleans this fourth day of December one thousand eight hundred and thirteen, the protester, hereunto signing his name with the notary.

[Signatures] James Sandford, John Lynd, Not. Pub.