Consulate of the United States of America.

Port of Ponte-a-Pixe Guadeloupe, to wit:

By this public instrument of declaration and protest, it is known and made manifest unto all to whom these presents shall come or may concern, that on the fifth day of December, one thousand eight hundred and sixty-six, before me, Joseph Jo Morton, Consul of the United States of America for the Island of Barbados, and the dependencies thereof, personally came and appeared Allison Flower, Master of the Ship or vessel called the "Abate," of Boston, Mass., of the burden of six thousand tons, or thereabouts, then lying in the port of Barbados, laden with a cargo of Pitch Pine Lumber, who duly noted and entered with me, the said Consul, his protest, for the uses and purposes hereafter mentioned; and now, on this day, to wit, the day of the date hereof, before me, Thos. N. Bond, Consul of the United States of America for the Island of Guadeloupe, and the dependencies thereof, came the said Allison Flower, and required me to extend this protest; and together with the said Allison Flower, also came Augustus Panic, 2nd mate, and Theodore Shaw, seaman, of and belonging to the said ship, all of whom, being by me duly sworn on the Holy Scriptures of Almighty God, did severally, voluntarily, freely, and solemnly declare, before and state as follows, that is to say:
That there appears, on the ninth day of November, in her capacity a foreman, sailed in and with the said vessel from the port of St. Mary's Goose, laden, with a full cargo of Pitch Pine Lumber, and bound to the port of St. Andrew; that the said ship was then light, staunch, and strong; had her cargo well and sufficiently stowed and secured; had her hatches well caulked and covered, was well and sufficiently manned, victualled, and furnished with all things needful and necessary for a vessel in the merchant service, and particularly for the voyage she was about to undertake; that from the day of her departure up to the twelfth of November, nothing worth while noting took place. This day commences with a strong breeze from the south, increasing to a gale, at 6 A.M., took in Top gallant-sail, at 8 A.M., took in the main-mast, close reefed top sail, heavy sea on, commenced to leak very badly. At 2, A.M., struck fore-sail, wind howling to the Westward, put all hands at the pumps, having 3 feet of water in the hole, at 3 A.M., wind increasing and howled to North, North West, howled away the fore top sail and fore top mast, May sail, spread Mastingale, back ropes and sprung mastingale, washed the foretop adrift and broke mainsail, kept before the wind at day light, beat another top sail and set it close reefed. Latter part strong gale from S. W. W. heavy sea on, all hands
November 13th, commenced with a strong gale from N. W. and heavy sea. Steep. At 8 A.M. a gale appears to have set in, and the northerly course; about 5 feet of water in the hole so as to cause the sailors to remove their things from the forecastle. Middle past, moderately to nearly calm. Both pumps constantly going and leak gradually gaining on us; at 6 A.M. wind increasing from N. E.; at 8 A.M. having had both pumps constantly going and leak gaining on us, cut the lashings to the deck load and commenced heaving over board, lumber. Keeping one pump going. This day ends with gale increasing from S. S. and heavy sea continually washing over us. November 14th—commences, all hands much exhausted, heaving over lumber, one pump continually going, at 8 P.M. Shipseed heavy sea washing over board, the havers, two handspikes, one row bar, two axes and watch tackles, love the boat and nearly washed her over board, damaged sail and bulwark, water galley adrift and damaged store. At 12 P.M. have hove on about fifteen thousand feet, principally timber and chests, about 2 boxes of firewood and flannel; water appears to have slightly gained this morning; knotted off having over lumber and put all hands to the pumps. At 8 A.M. find we are gaining on her forecastle, set reef main and hove to, heading N. W. at 11 P.M. gain considerably on the water; all hands much exhausted.
let one watch go below. At 5 A.M. relieved the watch and
sit-go below; at 5 A.M. turnndell hands to the pumps
and succeeded in filling her. At 11 A.M., so ended this day.

November 15th. commenced with a strong bimge from N. E.
and running to the East-sorde, secured the rest of the deck
boards, find the rigging and Yards considerably damaged
by the timber, oil bimge stove leeking about 20 gallons and
one bimge pipe blown, considerably wet and damaged.

At 6 P.M. in the regular watch, sit-go below. The other
watch, at the pumps, since that day until December 4th
felt always leaking considerably, at 8 A.M., made the land
distant about 15 miles. At 4 P.M. came to an anchor at
Pusbadua. Had time waiting for orders. Left for Guadaloupe
on the 6th. During the voyage nothing of importance to note.
On the 9th, at 8 A.M., reached Demerara Learing. N. W. distant
about 20 miles. On the 11th, took a Pilot off Guyer and at
6 P.M., came to an anchor in the harbor of Guiana a Point.

It results from the above statement that the quantity of
Lumber thrown over board may be calculated as follows:

According to Bill of Lading, took in at St. Mary's:
183,557 feet
167,923 feet delivered at Pointa de Rio
15,568 feet short.

And thus said Appears, upon their oaths aforesaid,
do further declare and say: That during the said voyage
they, together with the others of the said ship's company,
used their utmost endeavors to preserve the said vessel and
cargo from all manner of loss, damage, or injury. Wherefore
the said Anton Hoen, Master, hath Protested, as by
these presents, &c., the said Counsel, at his special instance
and request, do publicly and solemnly Protest, against all and
every person and persons whom it doth or may concern, and
against the winds, and waves, and billows of the sea, and against
all and every accident, matter, and thing, bad and meet with
as aforesaid, whereby and by reason whereof, the said vessel or
cargo aforesaid has, or hereafter shall appear to have suffered
or sustained damage or injury. And do declare that all
Losses, Damages, Costs, Charges, and Expenses that have
dhappened to the said vessel or cargo, or to either, are, and
ought to be borne by those to whom the same by right may
appertain, by way of average or otherwise, the same having
occurred as before mentioned, and not by or through the
insufficiency of the said vessel, her tackle or apparel, or
default or neglect of this appraiser, his officers or any of
his masters.

I have done and protested in the port of Point-o-
Otlie, this thirty-first day of December, in the year
of our Lord one thousand eight hundred and sixty-two.
In testimony whereof, these Appraisers have hereunto
subscribed their names, and I, the said Counsel, have granted
to the said Master this Public Instrument, under my hand
and the seal of this Consulate, to serve and avail him and
all others whom it may concern, as need and occasion may require.

Signed: Allison, Peter, master Augustus
Sarmiento, Thomas, Andrew Seaman
and J. S. Thimothie, U.S. Consul

ComEMALE OF THE UNITED STATES OF AMERICA
at San Francisco, December 14th, 1827

I, the undersigned Consul of the United States of America for the Island of Suisalipajo and the Dependencies thereof, do hereby certify that the foregoing
Affidavit is a true and faithful copy of the original filed in this Consular
Office, having been carefully examined
by me and compared with the said
original, and found to agree therewith
word for word and figure for figure.

I have signed my hand and placed
the seal of this Consulate, the day and year
above written.

J. S. Thimothie,
U.S. Consul
By the public instrument of declaration and Protest, Be it Known and made manifest unto all to whom these presents shall come or may concern, That on the fifth day of December, one thousand eight hundred and sixty six, before me, Joseph Geo Morton, Consul of the United States of America for the Island of Barbadoes, and the dependencies thereof, personally came and appeared Allison Howes, Master of the ship or vessel called the Newbury, of Boston, Mass., of the burden of 250. $37/100$ tons, or thereabouts, then lying in this port of Barbadoes, laden with a cargo of Pitch Pine Lumber, who duly noted and entered with me, the said Consul, his Protest, for the uses and purposes hereafter mentioned; and now, on this day, to wit, the day of the date hereof, before me H. Thionville Consul of the United States for the Island of Guadaloupe and the dependencies thereof, comes the said Allison Howes, and requires me to extend this Protest; and together with the said Allison Howes, also come Augustus Panie [?Paine], 2d mate, and Theodore Shaw seaman, of and belonging to the said ship, all of whom being by me duly sworn on the Holy Evangelists of Almighty God did severally voluntarily, freely, and solemnly declare, depose and state as follows, that is to say:

That these appears, one [sic, on] the ninth day of November, in their capacities aforesaid, sailed in and with the said vessel from the port of St Mary’s Ga, laden with a full cargo of Pitch Pine Lumber, and bound to the port of Barbadoes; that the said ship was then tight, staunch, and strong; had her cargo well and sufficiently stowed and secured; had her hatches well caulked and covered, was well and sufficiently manned, victualled, and furnished with all things needful and necessary for a vessel in the merchant service, and particularly for the voyage she was about to undertake; that from the day of his departure up to the twelth of November, nothing worth while noting took place. This day commences with a strong breeze from the South, increasing to a gale, at 6 P.M took in Top gallant sail. at 8 PM, took in the mainsail & close reefed top sail, heavy sea on, commenced to leak very badly. At 2 A.M, furled foresail, wind hauling to the Westward, put all hands at the pumps, having 3 feet of water in the hole, at 3 AM, wind increasing and hauled to north, north West, hoved away the fore top sail and fore top mast stay sail, parted martingale back ropes and spring martingale, Washed the binnacleadrift and broke lantern, Kept before the wind at day light bent another top sail and set it close reefed. Latter part strong gale from N. n. W. heavy sea on, all hands [next page] at the pumps, leak gaining on us, so ends this day. November 13th commences with a strong gale from n.w. and heavy sea on Steering S.E. as she appears to labor best on that course; about 5 feet of water in the hole so as to cause the sailors to remove their things from the forecastle. Middle part moderating to nearly calm. Both pumps constantly going and leak gaining on us, cut
the lashings to the Deck load and commenced heaving over board lumber. Keeping one pump going. This day ends with gale increasing from N.E. and heavy sea continually washing over us.

November 14th commences, all hands much exhausted heaving over lumber, one pump continually going, at 2 P.M shipped heavy sea washing over board the hawser, two handspikes, one crow bar, to oars and watch tackle, Stove the boat and nearly washer her over board; damaged rail and bulwarks, washed galley adrift and damaged stove; at 6 P.M have hoven over about fifteen thousand feet, principally Timber and deals, about 2 Cords of fire wood and fenders; water appears to have slightly gained since morning. Knocked off heaving over lumber and put all hands to the pumps. At 8 A.M find we are gaining on her furled topsail set reefed mainsail and hoved too, heading N.W, at 11 PM gained considerably on the water all hands much exhausted [over page] let one watch go below. At 2 AM relieved the watch and let it go below; at 5 A.M, turned all hands to the pumps and succeeded in freeing her at 11 AM, so ends this day.

November 15th commences with a strong breeze from n.E. and hauling to the Eastward secured the rest of the deck load, find the rigging and lanyards considerably damaged by the timber, oil barrel stove loosing about 20 gallons and one barrel tar Stores below considerably wet and damaged. At 8. PM set the regular watch & let it go below. The other watch, at the pumps, since that day until December 4th vessel always leaking considerably. At 8 A.M, made the land distant about 15 miles. At. 4. PM came to an anchor at Barbadoes. Stood there waiting for orders. Left for Guadalouple on the 8th. During the voyage nothing of importance to note. On the 10th at 8 A.M made Desirada bearing N.W. distant about 20 miles. On the 11th took a Pilot off Gosier and at 6. P.M. came to an anchor in the harbor of Pointe-á-Pitre.

It results from the above statement that the quantity of Lumber thrown over board may be calculated as follows:

According to Bill of Lading, took in at St Mary's Ga
183,551 feet
167,983 feet delivered at Pointe-a-Pitre
15,568 feet Short

And these said Appears, upon their oath aforesaid, do further declare and say: That during the said voyage they, together with the others of the said ship's company, [next page] used their utmost endeavors to preserve the said vessel and cargo from all manner of loss, damage, or injury. Wherefore the said Allison Howes, Master, hath Protested, as by these presents. I, the said Consul, at his special instance and request, do publicly and solemnly Protest, against all and every person and persons whom it doth or may concern, and against the winds, and waves, and billows of the seas, and against all and every accident, matter and thing, had and met with as aforesaid, whereby and by reason whereof, the said vessel or cargo already has, or hereafter shall appear to have suffered or
sustained damage or injury. And do declare that all Losses, Damages, Costs, Charges, and Expenses that have happened to the said vessel or cargo, or to either, are, and ought to be borne by those to whom the same by right may appertain by way of average or otherwise, the same having occurred as before mentioned, and not by or through the insufficiency of the said vessel, her tackle or apparel, or default or neglect of this appearer, his officers of any of his mariners.

I have done and protested in the port of Pointe-a-Pitre, this thirty first day of December, in the year of our Lord one thousand eight hundred and sixty six.

In testimony whereof, these Appearers have hereunto subscribed their names, and I the said Consul, have granted to the said Master this Public Instrument, under my hand and seal of this Consulate, to serve and avail him and all others whom it doth may concern, as need and occasion may require. [All foregoing in an unidentified hand. Remainder is in hand of H. Thionville, Consul.]


Consulate of the United States of American at Pointe a Pitre, Guadaloupe January 2d 1867.

I, the undersigned Consul of the United States of America for the Island of Guadaloupe and the Dependencies thereof do hereby certify that the foregoing Extended Protest is a true and faithful copy of the original filed in this Consulate, the Same having been carefully examined by me and compared with the Said original, and found to agree therewith word for word and figure for figure.

Given under my hand and Seal of this Consulate the day and year above written

H. Thionville
U. S. Consul