LETTER

FROM

THE SECRETARY OF THE NAVY,

TRANSMITTING,

Pursuant to a resolution of the House of Representatives, of 8th April, 1818,

SUNDRY STATEMENTS,

IN RELATION TO THE NAVY PENSION FUND.

November 25, 1818.

Referred to the Committee on Naval Affairs.

WASHINGTON CITY:

PRINTED BY E. DE KRAFFT.

1818.
NAVY DEPARTMENT,

November 21st, 1818.

SIR,

In obedience to a resolution of the House of Representatives, passed on the 8th of April, 1818, I have the honor to report upon "the state and condition of the Navy Pension Fund, the sources from whence it arises, its amount, the manner in which it is collected, the sums received yearly from each state since the 20th of June, 1812, and copies of the correspondence with this department in relation thereto."

The documents herewith marked A, B, C, and D, are respectively submitted, with a view to exhibit the most material facts and causes of complaint, and the "proceedings thereon had to enforce performance." Papers, A, No. 1 to 28, are copies of letters to the district attorneys, marshals, and others, relative to the Navy Pension Fund, from 30th March, 1813, to the 30th April, 1818, inclusively, selected from the records, as most relevant to the objects of inquiry into the resolution.

Papers B, No. 1 to 16, are originals, and copies of letters and statements received from district attorneys, marshals, and others in reply to the preceding, and explanatory of some of the cases alluded to; it will appear by this correspondence, that repeated efforts have been made to bring the officers of the district courts to account for the proceeds of prize causes, and to procure from them statements of charges, costs, and fees, and accounts of sales with deductions, and amount deposited to credit of the fund.

Papers C, No. 1 to 33, relate to the proceedings of the United States' district court of New York, and afford a partial view of the difficulties which the Commissioners of the Navy Pension Fund have experienced in obtaining legal returns of proceedings, and payment of proceeds into the United States' Treasury, for the benefit of the fund; in some instances, the first information received of the condemnation of prizes, was through the agent of the captors, to whom the moiety had been paid by order of court.

Papers D, No. 1 to 3, are reports of the Fourth Auditor of the Treasury.

To the several subjects of the resolution, I respectfully state:

1st. That the state and condition of the Navy Pension Fund, are exhibited in the Fourth Auditor's reports, marked D, numbered 1, 2, and 3, by which it appears that the total amount at this time of United States' stock, and bank stock, is $839,344 60, bearing an annual interest of $55,000, which, after paying the annual pensions to amount of $35,000, leaves a balance of twenty thousand dollars; in addition to which, there is in the hands of the Treasurer, to be invested
in stock, the further sum of thirty thousand dollars, part of which is
from the late reimbursement of Louisiana stock. The balance, with
such sums as are received in the course of the year, have been ap-
plied to the purchase of additional stock from time to time, for the
benefit of the fund, while the pensioners increase in nearly the same
ratio, as the former pensioners decrease by deaths.

2d. The sources from whence the Navy Pension Fund arises, are
the moiety of all captures in time of war, when the force was inferior
to the capturing ship, according to the act of Congress for the better
government of the navy, pages 360 and 361, volume 3, new edition
of United States' laws. And by the same act, the management of
said fund was placed under the direction of the Secretary of the Navy,
Secretary of the Treasury, and Secretary of War for the time being.

The act of 26th March, 1804, provides further for the disburse-
ment and accountability, and for defining the powers of the commis-
ioners, &c.

3d. The manner in which it has been collected will appear by the
documents and correspondence herewith, and those heretofore laid
before Congress, which induced the passing of the act of 16th April,
1816.

4th The specific sums received yearly from each state, from and
after the 20th June, 1812, will appear by the Fourth Auditor's reports,
marked D, numbered 2 and 3, which include also the particular cases
from which they arise. These documents will further exhibit the
neglects and defaults in the performance of duties in regard to the
said fund; and the correspondence had with the officers of the dis-
trict courts explains the proceedings of the commissioners, to en-
force performance at different times, so far as the laws authorized them
so to do.

The commissioners of the Navy Pension Fund have usually
met once in each year, since the commencement of the late war,
June, 1812. During the war, it was found that the existing laws had
not sufficiently provided for the accountability and due returns of
prize causes, and payment of proceeds, after decisions had thereon
in the United States district courts; payments in many instances had
been delayed, and when made, were not accompanied with accounts
of charges on sales, or of costs and fees taxed. So soon as the re-
turn of peace afforded time for consideration upon the subject, the
draft of a bill was prepared " in addition to the act of 26th March,
1804," and transmitted to the chairman of the naval committee of
the House, by whom it was laid before Congress, and passed into a
law on the 16th April, 1816. Previously to this last mentioned act,
the Commissioners of the Navy Pension Fund had no authority to
demand the payment of the moiety of prizes accruing to the fund,
and could not enforce performance, as no penalties were annexed to
noncompliance, even with their requests. The subject generally has
been submitted to Congress in the reports made in the years
1814, 15, 16, and 17, with copies of all the material evidences of neglect, and of correspondence thereon, particularly in the report made 5th January, 1816, to both branches of the legislature, to which I respectfully refer for corroborative explanations of the present statement.

All which is respectfully submitted.

J. C. CALHOUN.

To the Honorable the Speaker
of the House of Representatives.
A.

A. No. 1.

(Copy.)

(Circular.)

Navy Department, March 30, 1813.

SIR,

As secretary to the honorable board of commissioners of the Navy Pension Fund, I have the honor to transmit to you, a copy of a resolution, passed by that board on the 24th current, and to request your compliance, therewith.

I am,

Very Respectfully, &c.

[Signed] BENJAMIN HOMANS.

At a meeting of the honorable Commissioners of the Navy Pension Fund, on the 24th day of March, 1813, it was resolved, that the secretary of the board be directed to write a circular letter to the district attorneys and marshals, requesting them to transmit to the Secretary of the Navy, statements of the condemnations of all vessels, money, and merchandise, which have been, or may be captured by public vessels of the United States, and of the amount, payable to the Commissioners of the Navy Pension Fund, and that they pay the proceeds into a bank, in which public moneys are deposited, to the credit of the Treasurer of the United States, in conformity with the first section of the act in relation to the Navy Pension Fund, passed, March 26, 1804.

Attest, [Signed] BENJAMIN HOMANS, Secretary, &c.

Nathan Sanford, Esq. District Attorney,
Peter Curtenius, Esq. Marshal, New York.

A. No. 2.

(Copy.)

(Circular.)

Navy Department, Sept. 16, 1813.

SIR,

On the 30th of March last, the secretary of the board of Commissioners of the Navy Pension Fund, by order, addressed to you a
circular letter, with a copy of a resolution of the said board, to which no reply has been received; and as large sums are still unaccounted for by the marshals and officers of the courts of the United States, it is extremely desirable to draw into the Treasury, the moneys arising from this source, in order, that the same may be immediately invested in the new loan, which will close on the 25th inst. You are therefore, earnestly solicited to comply with the requisition of the said resolution of the board of commissioners.

I am, respectfully,

your obt. servant,

[Signed] W. JONES.

Nathan Sanford, Esq.
U. S. District Attorney, New York.

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A. No. 3.

(Copy.)

Navy Department, Sept. 27, 1813.

SIR,

I addressed to you, a letter on the 16th inst. and duplicate of the same, to the United States' district attorney of Massachusetts, on the subject of the Navy Pension Fund.

I have received, by this day's mail, your letter of the 21st, which is, in no respect a reply to the subject of my letter of the 16th, and you do not even notice the circular of the 30th of March last, which was written by order of the board of commissioners of the Navy Pension Fund.

The prizes of the United States' frigates, the President, Congress, Essex, Chesapeake and others, sent into the ports of your district, have been considerable in amount, and no account thereof has been rendered to the Commissioners of the Navy Pension Fund, or paid over to the credit of the Treasurer of the United States.

Having appropriated a part of these funds to the new loan, it is indispensably necessary to pay the same into the Treasury, on or before the 15th of next month. I therefore refer you to the act of Congress, in relation to the Navy Pension Fund, passed the 26th of March, 1804, and a resolution of the board of commissioners, transmitted by the above mentioned circular, of the 30th of March last.
The two per cent. fund, to which you allude, is totally distinct from, and has no relation to the Navy Pension Fund.

It is conceived to be the duty of the marshal, or other officers of the United States' courts, to transmit accounts of the condemnation and sale of prizes of the United States' vessels of war, to the accountant of the Navy Department, and to pay over the amount, by depositing it in a bank, to the credit of the Treasurer of the United States, which duty has not been complied with.

I am, respectfully,

Your obedient servant,

W. JONES.

James Prince, Esq.
Marshal, Boston, Mass.

A. No. 4.

(Copy.)

Navy Department, Sept. 28th, 1813.

SIR,

I have received your letter of the 22d in reply to mine on the subject of prize money, accruing to the U. S. Navy Pension Fund. The amount of sales of prizes to the United States' Frigates, the President, Congress, Essex, Chesapeake, and other vessels of war, must have been considerable within the Massachusetts District, and as yet no returns thereof have been received at this Department, nor has any deposit been made to the credit of the Treasurer of the United States, as directed by the act of March 26, 1804.

Presuming that you or the marshal of the district still retained the amount of said proceeds, and it being absolutely necessary to meet the subscription to the new loan for the benefit of that fund, I was induced to write for information on the subject. If the moneys have been paid into court, the clerk ought to have complied with the law; at present the Pension Fund has been credited with no part thereof.
I must request you will be pleased to forward a transcript from the clerk of the U. S. district court of Massachusetts, of all the condemnations of prizes of war, in which the United States have been interested, since the declaration of war against Great Britain.

The importance of the Navy Pension Fund, to provide for the support of our brave officers and seamen who became disabled in the service of their country, ought to induce a strict adherence to the law for its preservation and extension, so as to meet the increasing demands that are made upon it.

I am respectfully,
Your obedient servant,

[Signed] WM. JONES.

George Blake, Esq.

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A. No. 5,

(Copy.)

Navy Department, Oct. 21, 1815.

SIR,

I have this day received from George Blake, Esq. district attorney for the district of Massachusetts, a transcript of the nett moiety of prizes to the United States vessels of war, condemned and sold since the declaration of war with Great Britain, as stated by the clerk of the District court.

This moiety, by law reverts to the United States Navy Pension Fund, and the board of commissioners appointed under the law establishing that fund, will require a statement of all the charges, fees, costs of court, and expenses attendant on the condemnation and sale thereof: which I request you will be pleased to furnish as soon as possible, that the regular entries may be made accordingly.

I am, respectfully,
Your obedient servant.

[Signed] WM. JONES.

James Prince, Esq.
SIR,

The Secretary of the Treasury having exhibited to the commissioners of the Navy Pension Fund, the papers received under cover of your letter of the 12th current, viz: an abstract statement from the records of the district court of the State of New York, relative to the condemnation of certain prizes and prize goods, with a receipt of the cashier of the Manhattan Bank, for $9,296.6, to the credit of the Treasurer of the United States; I have in behalf of said commissioners, to request copies of the sales of prizes and goods mentioned therein.

I am, respectfully,
Your obedient servant,

[Signature] WM. JONES.

Clerk, District Court, New York.

A. No. 7.

(Copy.)

Navy Department, April 23, 1814.

SIR,

In pursuance of the notice from the Treasury Department, inviting proposals for the loan of ten millions of dollars in part of the loan authorized by an act of Congress, passed on the 24th of last month, I hereby, in behalf of the commissioners of the Navy Pension Fund, propose to loan the sum of one hundred and fifty thousand dollars on such terms as shall be offered and accepted by the Secretary of the Treasury.

As this sum has been reserved for the purpose, and is of a public nature rather to warrant the subscription to such terms as the government shall accept of others than an offer of specific conditions, I claim the benefit of subscribing the full sum offered.

I am, very respectfully,
Sir, your obedient servant,

[Signature] WM. JONES.

The Honorable Secretary of the Treasury.
Approved,

[Signature] JAMES MONROE.
Navy Department, August 9, 1814.

SIR,

I have the honor to enclose to you copy of a letter received from commodore Rodgers, in reply to one written to him by direction of the honorable the Secretary of the Navy, relative to the proceeds of the prize brig Maria. The commissioners of the Navy Pension Fund, deem it but reasonable that they should have been advised by you of this deposit in your hands, in order that the amount might have been applied to advantage.

You will please to place it in one of the banks in New York, to the credit of the Treasurer of the United States, on account of the Navy Pension Fund, and forward a duplicate receipt to this Department.

I am, Sir, respectfully, &c.

[Signed.]  
BENJAMIN HOMANS,  
Sec'y. N. P. Fund.

John Bullus, Esq.  
Navy Agent New York.

A. No. 9.

Navy Department, Nov. 4, 1814.

SIR,

Your letter of the 21st October, with copy of account current, and letter of Mr. John A. Morton, of Bordeaux, are received; and the whole transaction of the disposition and transmission of the amount of sales of the prize brig Maria and cargo, require investigation.
In the first place, commodore Rodgers could only constitute an agent for the moiety of the prize, the other moiety of which belongs to the U.S. Pension Fund; and the agent into whose hands the money was first paid, is accountable to the commissioners of the Navy Pension Fund for the nett sum, deducting his lawful commission. The commissions therefore charged by D. B. Warden, Morton & Russell, and yourself, must be refunded on the one-half amount. Wm. Lee, as Consul of the United States, was the immediate agent of the government, and was responsible only to the government for the half proceeds of the prize—if he paid the money over without the proper authority or order of the commissioners, he did it in his own wrong, and the commissions accruing therefrom must be refunded, and accounted for to the commissioners of the Navy Pension Fund. This includes the 2½ per cent. charged by you on the remittance of that half.

I am, &c.

[Signed.] WM. JONES.

John Bullus, Esq.
Navy Agent, New York.

A. No. 10.

(Copy.)

Navy Department, Jan. 1, 1815.

SIR,

I have received your letter of the 25th ult. in which you say the half nett proceeds, in the case of the Atlantic, alias Essex Junior, cannot at present be paid over, as distribution has not yet been made.

I now inform you that the whole amount for which that ship was sold, is due to the United States, and you are required to pay the whole sum over to the credit of the Treasurer of the United States, in a bank in which public moneys are deposited. The United States purchased that ship and the Navy Department paid captain Porter in 1814, twelve thousand five hundred dollars, to be distributed among the officers and crew.

You will therefore not pay a cent of the proceeds in court to any person but to the Treasurer of the United States.

Very respectfully, &c.

[Signed] B. W. CROWNINSHIELD.

Theron Rudd, esq.
New York.
SIR,

Your letter of the 25th May has been received with the accounts of sales of the cargo of the ship Hazard, brig Orion, and privateer Fortune of War, captured by the gun boats under the command of commodore Campbell.

The charge of commissions on sales of the ship Hazard's cargo, is totally inadmissible. The government of the United States has appointed its agents by law, and defined their duties. The agents of captors have nothing to do with the property until the moiety is ordered by the court to be paid over to them; the captors may pay as many agents as they please, but the court is bound to see that the clerk pays over the moiety to the U. S. Pension Fund, into a bank where public moneys are deposited, to the credit of the Treasurer of the United States. Your commission by law of April 18, 1814, is one half per cent. and no more. The commissions charged and deducted for John Carnochan, and N. W. Rothwell, are not allowed, and the half must be refunded to the United States, and you will stand charged with $2,075 05, from which deduct your commission of 1-2 per cent, $310 24, leaves a balance of $1,755 81, for which you are held accountable, and I request your immediate attention to this subject.

In the above named account of sales, you have deducted half the duties upon the prize brig Aurora, and schooner Isabel; the amount is probably correct, although not accompanied with the collector's certificate and statement. These two last cases naturally led to an examination of the account of sales formerly transmitted, and in which there appears to be a charge by Mr. Rothwell, which is also inadmissible, viz: $250 costs, said to be advanced and consented to by the district attorney. This same charge was submitted by Mr. Rothwell to the accountant of the Navy, and it was refused. The district attorney whose duty it was to attend to this, and all other causes in behalf of the United States, had no authority to make such an allowance. The commissioners of the Navy Pension Fund are now about taking up the whole transactions of the war relative to prizes, and it is desirable to have this matter settled without a reference to the Treasury Department; it being the duty of the comptroller to put all claims in suit which shall be unsettled at a certain period.

I am respectfully, &c.

[Signed] B. W. CROWNINSHEILD.

John Eppinger, esq.
Marshal, Georgia, Savannah.
SIR,

I have received your letter of the 5th inst. covering account of sales of brig Oscar, schooner Chatham, and cargo, brig Porgey and cargo, and schooner Alliencen and cargo, with receipts from the president of the Planter’s Bank for the deposit of several sums.

It is a subject of inquiry, why this money has been suffered to lay twelve months, and no accounts of sales rendered. The charge in gross, at St. Mary’s, will not be admitted in that form: the specific cost and charges may be furnished by the clerk of the court and yourself; and a certificate of the duties paid to the collectors: the accounts will then be passed by the Accountant of this Department.

You will be pleased to state issue of the capture or detention of the ship Emperor and Experiment, and any other captures not yet accounted for: as the whole transactions of captures during the late war are under consideration, and will be examined into, by the commissioners of the Navy Pension Fund.

I am, very respectfully, &c.

[Signed] B. W. CROWNINSHIELD.

John Eppinger, Esq.
Marshal Georgia, Savannah.

A. No. 13.

(Copy.)

Navy Department, June 24, 1815.

SIR,

The Treasurer of the United States having been apprised of the deposit to his credit in the Planters’ Bank of Savannah, on the 15th instant, of $58,167 70, by the marshal of the district of Georgia,
the quadruple receipt for which is now in my possession, which sum is on account of the Navy Pension Fund, I now propose to invest the amount in the loan authorized by the act of congress of the 24th of March, 1814, on the same terms and conditions as the last sum subscribed to the said loan on account of the Navy Pension Fund.

You will therefore please to direct a certificate of six per cent. stock to be issued in the name of the commissioners of the Navy Pension Fund, for the amount to which the above mentioned sum will be entitled, and also to include the commission of one fourth of one per cent. upon the whole amount, subscribed on behalf of the Navy Pension Fund, as well to the loan of the year 1813, as to that of the present.

I am respectfully, &c.

[Signed] WM. JONES.

The Secretary of the Treasury.

Approved,

[Signed] JAMES MONROE.

A. No. 14.

(Copy.)

Navy Department, June 29, 1815.

SIR,

I received yours of the 14th June current, with a copy of account sales of the U. S. ship Essex Junior. The items charged in the account for marshal’s custody, and keeper’s fees, cannot be allowed; this is the first instance since the declaration of the late war of a similar charge having been made.

The officers of the U. S. navy were sufficient for the safe keeping of the ship, and a joint custody was unnecessary; the commission allowed by law, is half per cent. to the marshal. You will therefore stand debited for fees $95, and extra commission charged $67, making together $162. As to the sale or rather sacrifice of the ship, that subject must be referred to the competent authority.
I have to request that the amount, as it now stands, may be paid into a bank in which public moneys are deposited, to the credit of the Treasurer of the United States.

I am, Sir, respectfully,

Your obedient servant,

[Signature] B. W. CROWNINSHIELD.

John Smith, Esq.
Marshal, New York.

A. No. 15.

(Copy.)

Navy Department, Nov. 15th, 1815.

SIR,

Having written to commodore Chauncey for information relative to captures made upon Lake Ontario by the United States' naval force under his command, he informs me that the whole was delivered to the marshal of the district of New York, and supposes that the proceeds still remain in the court.

Presuming that you act as prize agent for commodore Chauncey, I have to request the favor of you to inform me what amount, if any, has been paid over to you, and when, and by whom; and what is the present state of the proceeds of the prizes, and total amount thereof.

I am, very respectfully,

Your obedient servant,

[Signature] B. W. CROWNINSHIELD.

James Heard, Esq. New York.

A. No. 16.

(Copy.)

Navy Department, Nov. 25th, 1815.

SIR,

The following sums arising from sales of prizes taken by the U.S. ships of war, and applicable by acts of Congress, to the U.S.
Navy Pension Fund, appear to have been received by the marshal of the district of New York, and paid into court, on or before the dates herein mentioned, viz.

§ 22,783 74 in June, 1814.
1,764 74 in Nov. 1814.
about 30,000 in May, 1815.

Proceeds of sales of prizes.

§ 54,548 48

Which amount has been in the hands of the clerk of the court from the periods stated, to the present time, and unaccounted for.

The marshals ought to render accounts of sales, and transmit to this department receipts for the deposit of the proceeds into court or into the bank, "where public moneys are deposited, to the credit of the Treasurer of the United States," as treasurer of the Navy Pension Fund; and this has been done by all the marshals during the late war, who have duly attended to their duty, as it is obvious that without such notice, the commissioners of the Pension Fund cannot ascertain or apply the moneys so accruing; the fund would also have been benefitted by the interest arising out of the investment of public stocks, and which has been lost to this important fund, by some one's neglect.

The commissioners having no knowledge of the transactions of the district courts, and no information of the condemnation and sale of prizes, cannot claim the proceeds; and it is unjust to detain the amount so long, contrary to the spirit and intent of the act of Congress in relation to the Navy Pension Fund, passed March 26th, 1804. If that act is not sufficiently explicit and obligatory, to point out this duty to the officers of the district courts, there is a duty implied, to pay over the proceeds and to render accounts, otherwise the clauses are nugatory, which require the Treasurer to "receive all the money so accruing," and the Accountant to "receive and settle all accounts."

I have to request your attention to this subject as early as convenient, to enable the commissioners of the Naval Pension Fund to report to Congress the annual statement of that fund, in the first week of the next session.

I am, very respectfully,

Your obedient servant,

[Signed] B. W. CROWNINSHIELD.

Jonathan Fisk, Esq.

U. S. District Attorney, New York.
A. No. 17.

(Copy.)

(Circular.)

Navy Department, Nov. 29th, 1815.

SIR,

Referring to a circular written to the district attorneys and marshals of the United States, on the 30th March, 1813, I have the honor to transmit you a copy of resolutions of the honorable board of commissioners of the Navy Pension Fund passed on the 28th instant.

At a meeting of the board of commissioners of the Navy Pension Fund, on the 28th November, 1815.


Resolved, that the Secretary of this board be instructed to address a circular letter to the district attorneys and marshals of the United States, and instruct them to forward to the Secretary of the Navy a statement of all the libels and condemnations in the district courts of the United States, of vessels, money, and merchandise, captured and seized by public vessels of the United States since the declaration of the late war of June, 1812, in order that the commissioners may know how far the proceeds thereof have been duly accounted for, and paid over to the Treasurer of the United States conformably to law.

I am, very respectfully, &c.

(Signed) BENJAMIN HOMANS,
Sec. N. P. F.

To the District Attorneys
of the United States.

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A. No. 18.

(Copy.)

Navy Department, June 14th, 1816.

SIR,

I wish to call your attention to an act of Congress passed the 16th April, 1816, entitled "An act in addition to an act in relation to
the Navy Pension Fund," on sections 2, 3, 4, and section 6. All the moneys accruing to the Navy Pension Fund from the proceeds of prizes captured during the late war, are now wanted to invest in the United States bank stock.

I have also to request the favor of you to ascertain what kind of certificate or release the judge will require, to be executed, by capt. Porter in behalf of his officers and crew as their prize agent in the case of the Atlantic, alias Essex Junior, amount of which was paid to captain Porter by this department in August, 1814, say, twelve thousand five hundred dollars, for the half, and the marshal afterwards sold the ship by order of court. You will readily perceive the importance of this subject to the U. S. Pension Fund without my urging your attention further.

I am very respectfully, &c.

(Signed) BENJAMIN HOMANS.

Jona. Fisk, Esq.


A. No. 19.

(Copy.)

Navy Department, June 18, 1816.

SIR,

I wish to call your attention to an act of Congress, passed April 16, 1816, entitled an act in addition to an act in relation to the Navy Pension Fund, on sections 2, 3, 4, and section 6. All the moneys accruing to the Navy Pension Fund from the proceeds of prizes captured during the late war, are now wanted to invest in the United States bank stock; and it cannot be presumed that a further delay in the payment of the whole sum will be sanctioned by the district judge of Massachusetts. No payments have been made on account of the Navy Pension Fund, since October, 1813. Your schedule and the marshal's, of causes adjudged, exhibits a very considerable amount still unaccounted for, and no cause has ever been assigned for the delay; it is expected also, that an account of cost and fees taxed, will accompany the same.
You will readily perceive the importance of the subject to the United States' Pension Fund, without my further urging your attention to it.

I am, respectfully &c.

(Signed) BENJAMIN HOMANS,

Secretary N. P. Fund.

George Blake, Esq.

U. S. District Attorney, Boston.

A. No. 20.

(Copy.)

Navy Department, July 27, 1816.


SIR,

In compliance with your note of the 24th, I have the honor to enclose to you a form of a bill of sale on requisite claim title to the United States of the prize ship Atlantic, alias Essex Junior, which ship having been sold by order of the judge of the district court of New York, and proceeds have been detained in said court, and refused to be paid over to the commissioners of the Navy Pension Fund, for the benefit of said Fund.

I beg leave to suggest to you the dating of the bill of sale about the time and subsequent to the payment made to you on this account, in the year 1814; of this however you will judge, as it is not material, except to show to the court that the money was paid so long since, and that the Pension Fund have lost the benefit of interest upon the reduced amount of proceeds.

Very respectfully,

(Signed) BENJAMIN HOMANS.
A. No. 21.
(Copy.)

Navy Department, July 29, 1816.

SIR,

I have the honor to enclose to you a bill of sale executed by captain David Porter, for the ship Atlantic, alias Essex Junior, to prove the purchase and payment by this department at the time mentioned.

Will you be pleased to present the same to the court and ascertain if the amount of proceeds of that ship, will be paid over to the Treasurer of the United States, as the law directs.

I have the honor to be, &c.

[Signed] BENJAMIN HOMANS,
Secretary N. P. Fund.

Jonathan Fisk, esq.
U. S. district attorney, New York.

A. No. 22.
(Copy.)

Navy Department, August 13, 1816.

SIR,

I have received your letter of the 3d inst. relative to the proceeds of a captured launch, a moiety of which accrues to the Navy Pension Fund.

I have to request the favor of you to transmit the account of sales, with charges and costs of court deducted, and to pay over the amount into a bank in which public moneys are deposited, to the credit of the Treasurer of the United States, agreeably to the act of Congress, of March 26, 1804, and the additional act of the 16th April 1816. The navy agent has nothing to do with the fund, therefore the money must be paid into the bank, and duplicate receipts from
the cashier forwarded, one to the Treasurer of the United States, and
the other to the Navy Department.
I am respectfully, &c.

[Signed]  

BENJAMIN HOMANS,  
Secretary N. P. Fund.

Thomas Parker, esq.  
U. S. district attorney, Charleston, S. C.

A. No. 23.
(Copy.)

Navy Department, August 31st, 1816.

SIR,  
I had the honor of receiving your letter of the 12th current, to
which imperious business has prevented an earlier reply. The course
which has been pursued in relation to the U. S. ship Essex Junior, is
beyond all comment. I now enclose to you a letter from captain Por¬
ter, with all the letters of attorney and authorities to him, from the
officers and crew of the late U. S. ship Essex; to copy them is out of
the question; and there remains but one alternative—if the proceeds
should still be withheld, by an appeal to the legislative power of Con¬
gress for relief. You will be pleased, Sir, to have the papers return¬
ed to this Department for captain Porter, whether they prove satisfac¬
tory or not to the court.

The act of Congress passed April 16th, 1816, in relation to the
Navy Pension Fund, remains as yet uncomplied with by the clerk of
the district court of New York.

No statement of account of proceeds of the prize ship Susannah,
captured by the frigate Constitution, captain Charles Stewart, has
ever been received, although John M‘Cauley, esq. prize agent for the
captors, received the moiety, $29,709 12 in May, 1815, and a further
sum of $1,704 48, in June following. This case was not even re¬
ported in the schedule of prize causes, furnished by the clerk on the
26th December, 1815. The sums belonging to the Navy Pension
Fund, deposited in court and unaccounted for, are very considerable;
your attention to the subject is earnestly requested.

I am, very respectfully, &c.

By order of the commissioners N. P. Fund,

[Signed.]  

BENJAMIN HOMANS,  
Secretary to N. P. Fund.

Jona. Fisk, Esq.  
U. S. District Attorney, New York.
A. No. 24.

(Copy.)

_Navy Department, Sept. 23, 1816._

SIR,

Your letter of the 13th current with its enclosures, has been received, and your attention to the subject duly appreciated. The course pursued in the cases referred to, has been irregular. The judge should have ordered the distribution to be made to the clerk of the court, and the moiety accruing to the United States Navy Pension Fund should have been paid over by the clerk into a bank in which public moneys are deposited, to the credit of the Treasurer of the United States; this would have saved you the trouble of interposing. The law passed on the 16th April last (to which permit me to refer you) points out specifically the duties of each officer of the United States district courts in relation to prize cases. In the present instance Mr. Robertson, the navy agent, must refund the commission charged, to which he is not entitled.

I am, respectfully, &c.

_Thomas Parker, Esq._

_U. S. District Attorney, Charleston, S. C._


B. HOMANS.

A. No. 25.

(Copy.)

_Navy Department, Dec. 20th, 1816._

SIR,

I am again compelled to trouble you upon the subject of the U. S. Navy Pension Fund, in consequence of the receipt of a letter from Mr. Rudd, clerk of the district court of New York, copy of which is enclosed.

Mr. Rudd says, "being the whole amount of prize money belonging to the United States, in cases in which proceedings were ended." This paragraph is to me absolutely obscure.

As respects the prize ship Susannah, it is still more so; it appears by the declaration of Mr. M'Caulley, that in consequence of an order of distribution by the court, he received in May and June, 1815,
the half amount of proceeds of said ship and cargo; and now Mr. Rudd says, "the case has been staid by order of court, to abide the decision of some neutral claims." If the decision in this case, and the order of distribution in 1815, were not definitive, why was the money paid to the captors, and now kept back from the Navy Pension Fund? It is almost certain that a reimbursement cannot be expected of the sums distributed; and if a restitution of any part is yet to depend upon an ulterior decree of court, the amount must be an unequal reduction of the moiety accruing to the Navy Pension Fund.

I beg leave further to observe, that no accounts have yet been rendered in conformity with the act of Congress, passed April 16th, 1816.

I have the honor to be,
Very respectfully, Sir,
Your obedient servant,

[Signed ]

B. W. CROWNINSHIELD.

Jonathan Fisk, Esq.
U. S. District Attorney, New York.

A. No. 26.

(Copy.)

Navy Department, January 10, 1817.

The Hon. Joseph Story,
Judge of the Supreme Court, Salem, Mass.

SIR,

I am induced to trouble you again upon the subject of the U. S. Pension Fund.

The act of Congress passed 16th of April, 1816, has never been complied with by the district courts of Massachusetts and New York, where it was most immediately applicable, and it is still a cause of regret that those two courts have not directed a distribution of the prize moneys accruing to the United States Pension Fund, nor transmitted any accounts or statements of the causes decided during the late war, or the disposition of the amount of proceeds.
Will you have the goodness to remind Judge Davis of this, and request him to order the moneys to be paid over into bank, and to forward the amount of fees and charges taxed upon the causes.

With the highest respect,

Sir, your obt. servant,

[Signed] B. W. CROWNINSHIELD.

A. No. 27.

(Copy*)

Navy Department, March 30, 1818.

SIR,

The amount of seventy-eight thousand three hundred and seven dollars and forty seven cents, appears to have been duly received into the Treasury, for account of the U. S. Navy Pension Fund. As it is desirable to invest this amount in stock, that it may draw interest for the benefit of said fund, I have the honor to request that you will direct a warrant to be issued to place the above sum to credit of the Treasurer of the U. S. as Treasurer of the U. S. Navy Pension Fund.

I have the honor to be, &c.

[Signed] B. W. CROWNINSHIELD.

Hon. Wm. H. Crawford,
Secretary of the Treasury.

A. No. 28.

Extract of a letter from the Secretary of the Navy to the Hon. John Davis, judge of the district court, Massachusetts, dated

Navy Department, April 30, 1818.

SIR,

I have the honor to reply to your letter of the 17th instant, relative to the moneys paid over to the credit of the United States Na-
The act of Congress, passed April 1316, has not been complied with to the extent contemplated by that act, as accounts of fees and costs taxed, sales and deductions of charges, &c. upon captured property since the declaration of war, in June 1812, have never been received, and the proper entries and settlements cannot be made for want of them; this, however, is applicable to every district court in the United States. That law was specially intended to provide for such accountability, and the subject has been revived during the late session with reference more particularly to the conduct of the clerk of the court of New York. The following is a statement from the Fourth Auditor’s office, where the accounts are kept, viz. “On the 13th of October, 1813, William S. Shaw, clerk of the district court of Massachusetts, paid into the State Bank in Boston, to the credit of the Treasurer of the United States, $112,668 dollars, said to be the moiety of the nett proceeds of certain prizes, but for which no account of sales, or of the fees and charges deducted by the officers of court have been received.” A letter from the Secretary of the Navy, dated 21st October, 1813, was addressed to James Prince, marshal, requiring “a statement of all the charges, fees, costs of court, &c. attendant on the condemnation and sale of prizes:” but no such account was rendered.

On the 10th of March, 1817, William S. Shaw paid into the bank $11,878 3/100 dollars, the proceeds of certain prizes, which had remained in his hands, for which he did render account sales, &c.

The further investigation of this subject, at the next session, will probably lead to some crimination; and so far as relates to the decisions of the court over which you preside, it may be worthy your attention to see how far the non-compliance with the law exists. Every motive of delicacy, as well as personal respect to you, would have been, and has been cause of avoiding any implied censure upon the transactions under your immediate authority; a complete development of all the transactions of the courts during the late war, is become necessary: and by the late resolution of both houses of Congress, a detailed statement in every case of prize and judicial proceedings thereon, is required of this Department, to be laid before them at the commencement of the next session: and with this view, I respectfully suggest to you a further inquiry into the statement of the accounts rendered under your decisions, in order to place the subject in the most favorable light; particularly in the case of the brig Atlantic, wherein Mr. Shaw has deducted about one third of the whole proceeds for fees and costs, &c. It has not been deemed proper to correspond directly with the judges of the several courts, but through the attorneys; and in one instance a reprimand was received from the judge, through the medium of the clerk, for an “improper interference” with the prerogatives of the court, although the inquiry was made for information wherein a default or neglect was apparent:
Under all these circumstances, and the defect in the original act to fix the responsibility somewhere, and to define the duties of the courts, the act of April, 1816, was brought forward, and we now have to report to Congress, that the said act has not been fully complied with; and the charges and deductions made in the several prize cases, have been one leading cause for the late proceedings in Congress, in the course of which there has appeared a general implication of all concerned.

B. W. CROWNINSHIELD.

Hon. John Davis,
Judge District Court, Mass. Boston.
B. No. L

Portsmouth, May 18, 1813.

SIR,

In compliance with a resolution of the honorable commissioners of the Navy Pension Fund of the 24th of March last, I have paid into the New Hampshire Union Bank in Portsmouth, (a bank in which public moneys are deposited,) to the credit of the Treasurer of the United States, the sum of $53,744 8 7 0, which sum is one half of the nett proceeds that accrued from the sales of the ship Volunteer and cargo, captured on the high seas, Feb. 1813, by the United States frigate Chesapeake, and condemned in the district court, in New Hampshire district, March 16, 1813, for which sum I have taken a receipt from Henry S. Langdon, cashier of said bank, which receipt is herewith transmitted.

I am, Sir, very respectfully,

Your obedient servant,

Hon. Wm. Jones,
Secretary of the Navy.

MICHL. M'CLARY,
Marshall, N. H. District.

B. No. 2.

(Copy.)

Norfolk, July 8, 1813.

SIR,

In answer to your letter addressed to the marshal of this state, relative to the payment of any sums of money arising from prize sales, intended as a fund for the relief of certain persons, &c. I have to state, that the only sum which has ever been paid to the collector,
or other person in this state, was a moiety of the proceeds of the sale of the ship Argo and cargo, captured by the Congress frigate, amounting to seventeen thousand eight hundred and forty four dollars, and forty three cents.

I am very respectfully, &c.

[Signed] WILLIAM P. FOSTER.

William Jones, Esq.
Secretary of the Navy

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B. No. 3.

(Copy.)

Marshal's Office, Richmond, July 25, 1813.

SIR,

Enclosed you have the certificate of the deputy collector at Norfolk, respecting one moiety of the ship Argo and cargo, the other moiety of the proceeds of sales, was, pursuant to the decree, paid to L. M. Tazewell, and L. Wheeler, Esqs. the agents for the captors.

I am respectfully,

Your obedient servant,

For AND. MOORE, M. V. D.

[Signed] A. LITHGOW,
Agent.

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B. No. 4.

(Copy.)

Boston, Oct. 13, 1813.

Hon. Secretary of the Navy.

SIR—

I have this morning paid into the state bank, to the credit of the Treasurer of the U. S. the moiety of the nett proceeds of all
moneys deposited in court, in consequence of captures made by our public armed vessels, and condemned in this district as good prize, since the declaration of war against Great Britain, amounting to $112,668 25; and I have now the honor to enclose to you my account, with a receipt of the cashier of the bank thereon. It is with extreme regret that I add, in consequence of the marshal having supposed your letter of the 30th March last, and some of your subsequent letters, to have referred to the two per cent. duty only. I never knew, until the 12th inst., the pleasure of the government relative to the application of the proceeds and the money has remained in the state bank, in the name of the district court for the Massachusetts district, ever since the respective condemnations. In future, unless I am otherwise ordered, you may be assured of a most rigid compliance with the instructions communicated to the marshal in the letter of the 30th March last.

Very respectfully,

I have the honor to be, &c.

[Signed] WM. S. SHAW.

B. No. 5.

(Copy.)

Boston, Oct. 14, 1813.

SIR,

On my return from the country a few days since, after an absence of a week or two, I had the honor to receive your letter of 28th September, and in conformity with your instructions, I now forward enclosed, an abstract this day delivered to me by the clerk, of the several condemnations which have taken place in the district, of prizes in which the United States have been interested. Until the reception of your letter, it was altogether unknown to me that the proceeds of these prizes had remained to this time in the hands of our marshal. He has, I presume, ere this, explained to you the misapprehension to which has been owing the delay attending the proper disposition of this money.

I have the honor to be, Sir,

Very respectfully,

Your most ob't. servant,

[Signed] GEO: BLAKE.

Honorable William Jones.
Transcript from the clerk's office of the United States' district court for Massachusetts district, of all the condemnations of prizes of war, in which the United States have been interested, since the declaration of war with Great Britain.

A moiety of the nett proceeds of the brig Hazard, captured by the ship Wasp - - - 1,658 25

A moiety of the nett proceeds of the brig King George, and cargo, captured by the frigate Essex - 6,627 30

A moiety of the nett proceeds of the brig Recovery, and cargo, captured by the brig Argus - 1,977 70

A moiety of the nett proceeds of the cargo of the schooner Ellen, (already condemned) captured by the ship Hornet - - - 19,769 08

A nett moiety of specie captured by commodore Rodgers, from the brig Swallow - - - 70,291 55

A moiety of the nett proceeds of the bullion, taken from the brig Swallow - - - 12,344 37

$112,668 25

Stated by

(Signed) WILLIAM S. SHAW, Clerk.

B. No. 6.

(Sign)

Savannah, 14th June, 1814.

SIR,

By order of Judge Stephens, I take the liberty of enclosing to you a copy of the decree of condemnation of the money captured on board the Epervier, by the vessel of war Peacock: this reference arises from the claim of the marshal for commissions on the money arrested on the admiralty proceedings—the marshal states, that his charge of one and one quarter per cent. on money is allowed in every state, and that the amount does not alter the principle; this question ought to be decided by the judge. But he has referred it to you to ascertain your opinion, or perhaps to obtain that of the attorney general. The money was delivered to the marshal, under the warrant of arrest, and is now in his custody, and on his responsibility; the charge arises under the act of 28th February, 1799, for sales of vessels or
other property, and for receiving and paying the money for any sum under five hundred dollars, two and one half per cent.; for any larger sum, one and one half per cent. upon the excess.

I am, Sir, very respectfully, &c.

[Signed] CHARLES HARRIS,
District Atty. Geo.

William Jones esq.
Secretary of the Navy.

(Copy.)

IN THE ADMIRALTY.

United States' vessel of war, Peacock, vs.

117,903 dollars captured in the Epervier.

The United States vessel of war Peacock, commanded by Lewis Warrington, esq. in the late capture of his Britannic Majesty's sloop of war the Epervier, brought into this port, captured also, in dollars, the sum of one hundred and seventeen thousand nine hundred and three dollars, which has been libelled by the district attorney. The usual monition has been published, and proclamation made, and the defaults duly recorded. No claimant appearing, it is ordered, adjudged, and decreed, that the sum of one hundred and seventeen thousand nine hundred and three dollars be considered as prize of war, to the captors, to be distributed as the law directs, on captures made by the public armed vessels of the United States, after payment of costs and charges.

[Signed] W. STEPHENS,
District Judge, Georgia.

Ordered, That a certified copy of the above be sent to the Secretary of the Navy, as also a copy of the demand of the marshal for his commissions, and that the same be forwarded by Mr. Attorney for the district.

[Signed] W. STEPHENS.

10th June, 1814.

Georgia District, Clerk's Office.

I certify that the above writing is a true copy of an original decree in the admiralty court of said district. In witness whereof I have hereunto set my hand and the seal of said court, this 11th June, 1814.

[Seal.]

[Signed] S. MORDECAI,
Deputy Clerk.
United States, District of Georgia.

Lewis Warrington, Esq. commander of the U. S. sloop of war, Peacock,

In the Admiralty.

117,903 dollars taken from on board the

British sloop of war Epervier.

Amount arrested             -             -             -             -         117,903 09

Charges.

Taxes, costs of court                        -             -             -             -     93,91

Commission                                -             -             -             -     1,473 78

Distribution.

One moiety to the captors,                                    -             -             -             -     58,167 70

One moiety to the U. States, paid J.

Marshall, cashier Planter's Bank,

to the credit of the Treasurer

U. S.                                                        -             -             -             -     58,167 70

58,167 70

$116,335 40

Bal. 116,335 40

Marshal's Office,

Savannah, 15th June, 1814,

[Signed] JNO. EPPINGER.

Marshal.

(Copy.)

United States, District of Georgia.

Lewis Warrington, Esq. commander of the U. S. sloop of war Peacock,

In the Admiralty.

117,903 dollars, taken from on board the

British sloop of war, Epervier.

Amount arrested             -             -             -             -         $117,903 09

Charges.

Taxed costs of court                        -             -             -             -     93 91

Marshal's commission                                -             -             -             -     1,473 78

4,567 69

Bal. 116,335 40
Distribution.
One moiety to the captors - - 58,167 70
One moiety to the U. States. - - 58,167 70

$116,335 40

Marshall's Office, Savannah,
June 13, 1814.

[Signed.] JNO. EPPINGER.
Marshals.

B. No. 8.

(Copy.)
Marshall's Office, Massachusetts,
Boston, October 27, 1813.

SIR,
I am honored by your letter of the 21st instant. I have forwarded an attested copy of the same to the district clerk, with a desire the documents may be transmitted to you with the least possible delay. All the accounts which existed in this office are in his possession, and I doubt not, an account, certified by the judge for this district, will be sent you directly.

I am, very respectfully,
Sir, your very obedient servant,

[Signed.] J. PRINCE, Marshal.

The Secretary of the Navy,
Washington.

B. No. 9.

(Copy.)
Enumeration of captures, &c. made by the United States' naval forces on the New Orleans station, during the late war, and libelled in the district court of the United States, for the Louisiana district.

582. John Shaw, commander of the squadron of naval force of the United States, on the New Orleans station, vs.
The ship Argo and cargo. Captured in the bay of Mobile, and libelled 21st May, 1813, as enemy's property, or as the property of citizens of the United States, trading with the enemy. Libel dismissed, and property restored to the claimant, William Thompson, a citizen of the United States.
Seized for violating the embargo law. Information filed 2d April, 1814. Adjudged forfeited to the libellant. Proceeds to be distributed according to law.

Taken at Barrataria, and libelled 17th October, 1814: 1st, as prize, being enemy's property, or the property of citizens of the U. States, trading and corresponding with the enemy. 2d, as derelict. 3d, for salvage, as the property of some person or persons unknown, rescued out of the hands of pirates. Libel as to the merchandise dismissed, and the information of the United States, under the revenue laws, sustained. The vessels delivered up to the original owners, upon terms of salvage agreed upon between them and the libellants.

Libelled on the same grounds as in the preceding case. Cause still pending.

Captured in the bay of St. Louis, and libelled October 25th, 1814, as the property of the enemies of the United States, or of citizens of the United States trading with the enemy. That part of the cargo claimed by Basil Green, Thomas Bassett, and Stephen Minor, adjudged forfeited to the libellants as prize; the proceeds to be distributed according to law. An appeal taken to the supreme court for the portion claimed by Basil Green.

[Signed.]

R. CLAIBORNE, Clerk.

B. No. 10.

Marshal's Office, Georgia,
Savannah, 5th June, 1815.

SIR,

I forward herewith, statements of the sale of the cargo of brig Oscar, schooner Carlsham and cargo, brig Porgey and cargo, and.
schooner Aliancen and cargo, captured by the gun boats, under the command of com. Hugh G. Campbell, and condemned as prize to the captors; also receipts from the president of the Planters Bank, for the respective moiety to the United States, in these cases entered to the credit of the Treasurer of the United States, agreeably to the act of Congress, of March 26, 1804.

I have the honor to be,

Very respectfully,

Your most ob't servant,

JNO. EPPINGER,


Honorable B. W. Crowninshield,

Secretary of the Navy, Washington.

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B. No. 11.

(Copy.)

Marshall's Office, Georgia,

Savannah, 20th June, 1815.

SIR,

Your letter of the 6th instant has been duly received. I enclose a certified copy of the decree of the district judge of Georgia, allowing a commission of two per centum to the agents of the captors and claimant, and the marshal respectively, on the amount sales of the cargo of the Hazard. This case, as stated to me, by Charles Harris, esq. late district attorney, was as follows: "that application was made by the claimants to have agents appointed to assort the cargo, and superintend the sale, so as to enhance the value of the articles, and obtain a full price for the various goods which that cargo contained; the claimants contending that the prize being at St. Mary's, a place of small trade, and where there was no capital, that unless the sale was made on a credit, and under the care of persons of experience and integrity, the cargo would lose in the sale, at least 25 per cent." After full argument before the judge, in which the district attorney contended against the additional agent, the court decided that the application was correct, that the benefit resulting from the appointment of agents was superior to the expense, and not more than the trouble attendant on the business, and allowed the clai-
ments to name an agent, the captors one; and the court appointed me. The allowance was made by the court, and ordered to be paid. The late district attorney did not and could not appeal, as the order was an interlocutory one, and on inquiry of merchants, he was then, and yet is fully satisfied that the United States received considerable advantage from the sale on credit, and the assortment of the cargo, as made by the commissioners; and he verily believes and knows that affidavits to that effect can be furnished by persons of the first integrity in the country, and that this mode of sale enhanced the value of the cargo, from 10 to 15 per cent. He was therefore satisfied with the order of court, though he took no part in consenting or agreeing to the arrangement which was forced upon the court by the claimant, with great zeal and earnestness; and as to the honor, activity, and disinterestedness of the late district attorney, in his official capacity, and his exertions for the United States in cases of prizes, and all cases of seizure, for a small remuneration, compared to the trouble, responsibility, and sums at stake, he appeals to the judges, the bar, the officers of court, and the public at large.

If, notwithstanding the decree of the district judge, and the above statement of the late district attorney, the government think proper to disallow the agents their commissions, I have to state that they have informed me, that it is their determination not to refund. Should it be intended to institute suits to enforce payment, such suits ought to be brought against the individuals, and not against the marshal, who, as an officer of the court, was bound to pay them. As regards my commission, permit me to observe, that the act of the 18th of April, 1814, has reference only to the commission allowed to the clerks of the United States, and cannot in my view of the subject, even by the most forced construction, embrace the marshal. Besides the act was passed more than a month after the sale of the Hazard's cargo took place.

I also enclose herewith a certified copy of the judge's order, in the case of the schooner Isabella, and cargo, authorizing the payment of $250 for costs, which I presume will satisfactorily explain this charge.

I have the honor to be,

Very respectfully,

Your obedient servant,

[Signed.] JNO. EPPINGER,


Honorable B. W. Crowninshield,

Secretary of the Navy, Washington.
Boston, June 26, 1816.

SIR,

I have the honor to acknowledge the receipt of your letter of 16th inst. requesting my attention to the subject of the proceeds still remaining in the courts of this district, arising from the sales of property captured by vessels of the U. States, and condemned during the late war. Having heretofore, in pursuance of the former instructions from your department repeatedly urged upon the marshal, and especially the district clerk, the necessity of an immediate and final adjustment of accounts in the cases alluded to, I had presumed, until the reception of your present communication, that this had long since been accomplished, and the proper statements and vouchers transmitted to you. In compliance with your request, I have again conferred with the above mentioned officers on the subject, and I trust it will now be attended to immediately. I pray you at any rate, to be assured, Sir, that whatever delay may have attended, or may still attend the contemplated adjustment, can be attributable, in no degree, to any remissness on my part. The fact is, that with regard to those cases of prize, wherein the United States have been interested, I have considered myself as having officially, no other agency, than merely to file the libel, and pursue the same to condemnation; leaving the marshal to collect, and the clerk under the orders of court, to account, with your department for that portion of the proceeds belonging by law to the Navy Pension Fund. Considering the great importance of this valuable institution, I should not have supposed that the proper accounting officers, would on any occasion, have been wanting in a prompt and critical attention to it.

With great respect, I have the honor to be,

Your obedient servant,

[Signed] GEO. BLAKE.


B. No. 13.

Navy Pension prize moneys.

It appears that the following sums have been paid into different Banks, to the credit of the Treasurer of the U. States, viz.

---
<table>
<thead>
<tr>
<th>Name</th>
<th>Bank/Location</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theron Rudd, clerk</td>
<td>City Bank, New York</td>
<td>December 26th, 1815</td>
<td>46,613 80</td>
</tr>
<tr>
<td>Jno. M'Cauley</td>
<td>Farmer's and Mechanic's Bank,</td>
<td>March 4th, 1816</td>
<td>1,704 48</td>
</tr>
<tr>
<td>William Davies, United States, district attorney</td>
<td>Planter's Bank, Savannah, May 22d, 1816</td>
<td>1,422 25</td>
<td></td>
</tr>
<tr>
<td>William Davies, United States, district attorney</td>
<td>Planter's Bank, Savannah, June 20th, 1816</td>
<td>15,062 21</td>
<td></td>
</tr>
<tr>
<td>William Davies, United States, district attorney</td>
<td>Planter's Bank, Savannah, May 22d, 1816</td>
<td>22,757 42</td>
<td></td>
</tr>
<tr>
<td>William Davies, United States, district attorney</td>
<td>Planter's Bank, Savannah, June 13th, 1817</td>
<td>3,973 23</td>
<td></td>
</tr>
<tr>
<td>Theron Rudd, clerk</td>
<td>City Bank, New York</td>
<td>February 6th, 1817</td>
<td>22,757 42</td>
</tr>
<tr>
<td>William Davies, United States, district attorney</td>
<td>Planter's Bank, Savannah, June 13th, 1817</td>
<td>3,973 23</td>
<td></td>
</tr>
</tbody>
</table>

Also the following sums immediately paid to the credit of the Treasurer of the Navy Pension Fund, not carried into the books of the Treasury, viz.

<table>
<thead>
<tr>
<th>Date</th>
<th>Bank/Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2d May 1817</td>
<td>By Bank United States</td>
<td>25,003 40</td>
</tr>
<tr>
<td>12</td>
<td>By David Caldwell</td>
<td>5,984 90</td>
</tr>
<tr>
<td></td>
<td>Do.</td>
<td>29,799 26</td>
</tr>
</tbody>
</table>

**Total:** 60,787 56

For the above amount, no accounts have been received at this office (by which an examination or entry can be made) in conformity to the 2d and 6th sections of the Act of Congress, passed 16th April, 1816.


It has been ascertained at the Treasury that prize moneys to the amount of $78,307 47 has been paid at different Banks, to the credit of the Treasurer of the United States; not yet covered by a Treas-
sury warrant or passed to the credit of the Navy Pension Fund. The expediency of vesting the above in Stock of the United States, is submitted to the Honorable Secretary of the Navy.

B. No. 14.

(Copy.)

NAVY PENSION.

A list of all the prize cases, for which accounts have been received at this office, subsequent to the passage of the act of Congress, April 1816.

An account of the moiety of the proceeds of the
Schr. Alligator,
Sloop Catholina,
A Launch, &c.
Schr. Nonsuch,

Condemned by the District Court of South Carolina, and paid over by Thomas Parker, district attorney, amounting to 1,731 19.

An amount of the moiety of the proceeds of part of the cargo of the
Brig Liverpool,
Schr. Favorite and cargo,
Nysted and cargo,
Brig Julia, and cargo.

Part of the cargo of the schooner Ellen, being the last part, that had been reserved for further proof, paid over by Wm. S. Shaw, clerk, district court Massachusetts, amounting to $11,878 30 cents.

A receipt for $1,704 48 cents paid into the Farmers’ and Mechanics’ Bank, at Philadelphia, 4th March, 1816, by John M’Cauly, but no account rendered.

Treasury Department,
4th Auditors office, April 2, 1818.

[Signed] GEO. M’DANIEL,
Ck. N. P. Accounts.
SIR,

Having judged it necessary to respond on the 12th instant to such inquiries only of the resolution of the House of Representatives of the 8th of April, 1818, in relation to the “state and condition of the Navy Pension Fund,” as had local information for their object, I now beg leave, in reiterating the same, to advert to the 9th and 10th Sections of the 33d Act of the 23d of April, 1800; the 48th Act of the 26th of March, 1804; and the 56th Act of the 16th of April, 1816, in answer to the first parts of the said resolution.

On the succeeding heads, enumerated in the same inquiry, the information that can be furnished from this quarter, is negative; as the captures made in the Louisiana District, since June, 1812, have not been prizes from which money accrued to the Navy Pension Fund of the United States, but seizures for a violation of the embargo, revenue and slave laws, for a breach of the 3d and 4th Sections of the 50th Act of the 5th of June, 1794, and for illicit commercial intercourse with the enemy, as also recaptures from pirates, redeemed by the rightful owners, on paying salvage to the captors, by exjudicial, and mutual agreement.

I am therefore authorized to say, from the legal sources, that no sums have been forwarded by “the District court of this State;” that there is no “particular case” to cite, nor any “returns” to refer to; neither is the District Attorney aware, that there are any “persons in default in the performance of their duty, in regard to the said fund;” and of consequence, no “proceedings have been had to enforce the performance of such duties.”

With a sincere hope that the wishes of the Department may have been complied with, I have the honor to be, with sentiments of profound respect,

Sir, your very obedient servant,

LEWIS HEERMAN,

Hon. B. W. Crowninshield,

Secretary of the Navy, Washington.
B. No. 16.

(Copy.)

Boston, 17th March, 1814.

SIR,

I have the honor herewith to transmit my account of the proceeds of the Brig. Atlantic, and cargo, captured by the United States Frigate, Congress; and am,

With respect,

Your very humble servant,

WM. S. SHAW.

Hon. Secretary of the Navy.
Copy of Account, rendered by William S. Shaw, Clerk of the District Court of Massachusetts; (the only account ever transmitted to the Navy Department.)

Dr.

William S. Shaw, in account with the United States of America. Cr.

To gross amount of the sales of the Brigantine Atlantic and cargo, captured by the frigate Congress, and condemned in the District Court for Massachusetts District - - - 41,989 08

| By amount of costs, &c. against Brigantine Atlantic and cargo - - - | 13,853 82 |
| By a moiety of the nett proceeds of said vessel and cargo paid to the captors | 14,069 13 |
| By do. paid to the U. States | 14,069 13 |

$41,989 08

State Bank, Boston, March 17th, 1814.

Received of William S. Shaw, Esquire, clerk of the District Court for the Massachusetts District, the sum of fourteen thousand and sixty-nine dollars and thirteen cents, on account of the Treasurer of the United States, for which I have given duplicate receipts.

C.

C. No. 1.

(Copy.)

New York, 21st September, 1813.

SIR,

Since my letter of yesterday, I find that the clerk of the district court is absent from the city, and will not return in two or three weeks. This circumstance will retard the payment of the money in court belonging to the Navy Pension Fund.

I have the honor to be,

With great respect, Sir,

Your obedient servant,

NATHAN SANFORD.

The Honorable William Jones,
Secretary of the Navy.

C. No. 2.

(Copy.)

New York, Sept. 20, 1813.

SIR,

I duly received the letter of the Secretary of the Commissioners of the Navy Pension Fund, of the 30th of March last, and I immediately had a conference with the late marshal, who was then in office, upon the subject of that letter. He assured me that he would take upon himself the execution of the resolution of the Commissioners. Relying upon his assurance, I gave no further attention to the subject.

I have this day had the honor to receive your letter of the 16th inst. and I now learn with surprise, that nothing has been done by the marshal.
I will take care, that the direction of the Commissioners shall be executed without delay, in respect to all moneys now in court, in this district, belonging to the Navy Pension Fund.

With respect, &c.

[Signed] NATHAN SANFORD.

The honorable William Jones.

C. No. 3.

(Copy.)

New York, October 12, 1813.

SIR,

Pursuant to an order of the district court of the United States, for the district of New York, I have deposited in the Manhattan Bank, in the city of New York, nine thousand two hundred and ninety-six dollars and ninety-six cents, to the credit of the Treasurer of the United States; for which I enclose you the cashier’s receipt, together with an abstract from the minutes of court, showing on what account the money had been paid into court.

I am, Sir, &c.

[Signed] PHILIP SPENCER.

Hon. William Jones

C. No. 4.

(Copy.)

New York, Nov. 20, 1815.

Hon. B. W. Crowninshield,

SIR.

On the 16th June, 1814, I received from the clerk of the district court of the United, States for this district, $22,783 74, for
one half of captures made by the naval force on Lake Ontario—and on the 15th November, 1814, I received £ 1,764 74.

The same sums, belonging to the United States, I presume remain in court, subject to their order.

I have not heard of any other captures on Lake Ontario, than those for which I have received the share of the officers and crews.

I am, Sir, with respect, &c.

[Signed] JAMES HEARD.

£ 22,783 74
1,764 74

£ 24,548 48

C. No. 5.

(Copy.)


SIR,

I have the honor of enclosing for your information, a statement of causes of all prizes captured by public armed vessels of the United States, since the declaration of the late war.

By the Secretary of the Navy Pension Fund, the marshal is referred to a circular letter, &c. dated 30th March, 1813. The marshal never received a circular letter of that date, or statements of libels, &c. would have been furnished. The executions and amount of sales in each cause have long since been returned and filed in the district court, and the gross proceeds paid into court.

I am, respectfully,

Yours, &c.

[Signed] JAMES DILL,

For the Marshal.

The hon. B. W. Crowninshield,

Secretary, &c. &c.
A list of prize causes of captured property by the navy of the United States, in which sales were made by Peter Curtenius, late marshal, and John Smith, present marshal, and the gross proceeds paid into the district court by the said marshals, and the sums by them paid since the commencement of the late war.

District Court of New York

| Amount paid over as the moiety accruing to the Navy Pension Fund. |
|---------------------------------|------------------|
| Gross proceeds.                 |                  |

The U. S. squadron, Lake Ontario, &c. vs. Schooner Lord Nelson.  

| $2,999 25 |
| 1,972 10  |
| 3,700     |
| 1,000     |
| 8,843 11  |

The frigate Essex, &c. &c. vs. Sloop of war Alert.  

| 13,415 66 |
| 6,427 31  |

The sloop of war Hornet, vs. Certain trunks of merchandise.  

| 15,586 89 |
| 5,255 38  |

The squadron of Lake Ontario, vs. 2 kegs of carbine cartridges, &c.  

| 3,344 92  |
| 1,567 57  |

The same, vs. 3 bales cloathing, &c.  

| 1,228 95  |
| *536 04  |

* In the order of court directing the payment of the moiety, transmitted in the letter of Mr. Rudd, of Dec. 26, 1815, the half proceeds of the three bales of cloathing, &c. is stated at $5,306 04.
### District Court of New York

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Gross Proceeds</th>
<th>Amount Paid Over</th>
</tr>
</thead>
<tbody>
<tr>
<td>The squadron of Lake Ontario vs. 16 cannon of different calibre, &amp;c.</td>
<td>$28,804.53</td>
<td>$13,979.13</td>
</tr>
<tr>
<td>The same, vs. Brig Duke of Gloucester</td>
<td>$2,500</td>
<td>$1,073.05</td>
</tr>
<tr>
<td>The same, vs. Schooner Lady Murray</td>
<td>$1,500</td>
<td>$463.80</td>
</tr>
<tr>
<td>The same, vs. Sloop Elizabeth</td>
<td>$3,525</td>
<td>$1,637.06</td>
</tr>
<tr>
<td>The same, vs. Schooner Mary</td>
<td>$2,512</td>
<td>$1,113.22</td>
</tr>
<tr>
<td>The same, vs. Schooner Lady Gore</td>
<td>$2,500</td>
<td></td>
</tr>
<tr>
<td>The same, vs. Schooner Confiance</td>
<td>$4,825.84</td>
<td>$2,172.72</td>
</tr>
<tr>
<td>The same, vs. Sloop Mary Ann</td>
<td>$1,630</td>
<td></td>
</tr>
<tr>
<td>The same, vs. 120 barrels of flour</td>
<td>$1,709.37</td>
<td>$770.69</td>
</tr>
<tr>
<td>The same, vs. Sloop Drummond</td>
<td>$600</td>
<td></td>
</tr>
<tr>
<td>The same, vs. Schooner Hamilton</td>
<td>$4,925.84</td>
<td>$2,220.72</td>
</tr>
<tr>
<td>The sloop of war Hornet, vs. Ship William</td>
<td>$6,200</td>
<td>$147.41</td>
</tr>
<tr>
<td>The same, vs. 24 bags containing gold &amp; silver coin</td>
<td>$19,430.24</td>
<td>$8,412.17</td>
</tr>
</tbody>
</table>
District Court of New York.  

Gross proceeds.

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Amount Paid (Gross)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The frigate President. vs. 22 pancheons of rum, &amp;c.</td>
<td>$9,490 07</td>
</tr>
<tr>
<td>The same, vs. 14 pancheons merchandise.</td>
<td>$3,311 64</td>
</tr>
<tr>
<td>The gunboats, vs. Schooner Fame and cargo.</td>
<td>$7,569 62</td>
</tr>
<tr>
<td>The Essex, vs. Ship Atlantic, alias Essex Junior.</td>
<td>$8,100</td>
</tr>
<tr>
<td>The frigate Constitution, vs. Ship Susannah and cargo.</td>
<td>$73,192 21</td>
</tr>
<tr>
<td>The same, vs. 8 casks glassware, &amp;c.</td>
<td>$1,995 68</td>
</tr>
<tr>
<td><strong>Total gross amount</strong></td>
<td><strong>$241.8 3</strong></td>
</tr>
</tbody>
</table>

The above is a statement of the gross proceeds paid into court; the costs in each cause after being taxed, has been paid by the clerk, out of the gross proceeds in court.

* Entire nett proceeds.

C No. 6.

(Copy.)

New York, December 26, 1815.

To the hon. B. W. Crowninshield,  
Secretary of the Navy,

SIR—Enclosed herewith is an order of court, directing the payment of the sum of $46,613 80, being the \( \frac{1}{3} \) nett proceed accruing to the U. S. in the 14 several causes therein enumerated. Also, enclos-
ed are abstracts in each of the said causes; and a receipt for the said
sum of money, signed by the cashier of the City Bank, has been sent
to the Treasurer of the U.S. The \( \frac{1}{2} \) nett proceeds in the case of the
Atlantic, alias Essex Junior, cannot at present be paid over, as dis-
tribution has not yet been made.

I am, with great respect,

Your obedient servant,

[Signed] THERON RUDD.

At a stated district court of the United States of America, held
for the southern district of New York, at the city of New York, on
Friday the 22d day of December, 1815,

Present—The honorable William P. Van Ness, esquire, Judge
of said court.

Ordered,

That in all the following causes in which money is now in court
belonging to the Navy Pension Fund, the clerk shall pay such money
into the City Bank, to the credit of the Treasurer of the United States,
and shall transmit to the said Treasurer, one of the cashier's receipts,
with information of the amount upon which the money is paid, and
that the clerk shall also transmit to the Secretary of the Navy, a state-
ment of the money so paid in every instance.

<table>
<thead>
<tr>
<th>The United States of America, &amp;c</th>
<th>( \frac{1}{2} ) nett proceeds accruing to the</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Divers trunks of merchandise, &amp;c.</strong></td>
<td>United States £5,255 38</td>
</tr>
<tr>
<td>The same</td>
<td>The same 1,073 05</td>
</tr>
<tr>
<td>The brig Duke of Gloucester, &amp;c.</td>
<td>The same 8,413 17</td>
</tr>
<tr>
<td>2½ bags of gold and silver coins.</td>
<td>The same 770 69</td>
</tr>
<tr>
<td>120 barrels of flour, &amp;c.</td>
<td>The same 5,306 04</td>
</tr>
<tr>
<td>3 bales of clothing, &amp;c.</td>
<td>The same 4,567 57</td>
</tr>
<tr>
<td>2 kegs carbine cartridges, &amp;c.</td>
<td>The same 463 80</td>
</tr>
</tbody>
</table>

The schooner Lady Murry, &c.
<table>
<thead>
<tr>
<th>The same</th>
<th>The same</th>
<th>The same</th>
</tr>
</thead>
<tbody>
<tr>
<td>vs.</td>
<td>vs.</td>
<td>vs.</td>
</tr>
<tr>
<td>The schooner Hamilton</td>
<td>The schooner Confiance, her tackle, &amp;c</td>
<td>16 cannon of different calibre, &amp;c</td>
</tr>
<tr>
<td>The same vs.</td>
<td>The same vs.</td>
<td>The same vs.</td>
</tr>
<tr>
<td>14 puncheons of merchandise, &amp;c.</td>
<td>14 puncheons of merchandise.</td>
<td>The schr. Fame, alias Pomeranea, &amp;.</td>
</tr>
<tr>
<td>The same</td>
<td>The same</td>
<td>The same vs.</td>
</tr>
<tr>
<td>Ship William, her tackle, &amp;c.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Extracts from the minutes of the court,

[Signed] THERON RUDD, Clerk.

C. No. 7.

New York, January 20, 1816.

Hon. B. W. Crowninshield,

Secretary of the Navy,

SIR,

On the receipt of your letter relating to the case of the Essex Junior, I presented the same to the court, and applied for an order to pay over the whole money to the Treasurer of the United States, agreeably to the statement therein contained. The court made the memoran-
I am, very respectfully,
Your obedient servant,

[Signed] THERON RUDD.

(Copy.)

"It is extremely irregular and improper in the Secretary of the Navy, to issue his orders to the officers of this court. He ought to know that they owe him no obedience; the government or the Navy Department can only be known or heard here through the proper organ of the government, the district attorney. The clerk obeys the orders of the court, and none other.

No money can be paid by the clerk but in pursuance of an order of the court, regularly entered for that purpose—such an order can only be obtained on the application of a person properly authorized to make it, and by showing a legal right to the funds required.

In the present case the Essex Junior stands condemned to the U. S. and the captors—the captors, therefore, by the judgment of the court, are entitled to one half the prize, or the proceeds of the sale—this court knows nothing of private or out-door sales or purchases. If regularly applied for, the one half of the proceeds will be ordered to be paid to the U. S.; the other half to the captors. If either party claims to have the whole, a regular and valid title must be shown, derived from the other party, for that portion which was adjudged to him. The letter of the Secretary of the Navy is not evidence in this court, of a purchase, and cannot be allowed to divest rights legally acquired.

The order applied for by the clerk, is of course refused."

A true copy of the memorandum made by the court on the letter of the Secretary of the Navy.

THERON RUDD,
Clerk of the Southern District of New York.

C. No. 8.

A list of prize causes of captured property by the navy of the United States, in which sales were made by Peter Curtenius, late marshal, and John Smith, present marshal, and the gross proceeds paid
into the district court by the said marshals, and the sums by them paid since the commencement of the late war.

**District court, New York.**

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Gross Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schooner Lord Nelson, vs. same, 5 boxes of glass ware.</td>
<td>$2,999 25</td>
</tr>
<tr>
<td>The same, vs. brig Caledonia, 4 long twelve pounders,</td>
<td>$1,972 10</td>
</tr>
<tr>
<td>The same, vs. Cargo brig Caledonia, frigate Essex, &amp;c. &amp;c.</td>
<td>$3,700</td>
</tr>
<tr>
<td>The same, vs. Sloop of war Alert, Certain trunks of merchandise.</td>
<td>$1,000</td>
</tr>
<tr>
<td>The same, vs. The squadron of lake Ontario, 2 kegs of carbine cartridges, &amp;c.</td>
<td>$8,843 11</td>
</tr>
<tr>
<td>The same, vs. 3 bales of coating, &amp;c.</td>
<td>$15,415 66</td>
</tr>
<tr>
<td>The same, vs. 16 cannon of different calibers, &amp;c.</td>
<td>$3,344 92</td>
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<td>The same, vs. brig Duke of Gloucester</td>
<td>$1,228 95</td>
</tr>
<tr>
<td>The same, vs. Schooner Lady Murray,</td>
<td>$28,804 53</td>
</tr>
<tr>
<td>The same, vs. Sloop Elizabeth.</td>
<td>$2,500</td>
</tr>
<tr>
<td>Sloop Elizabeth</td>
<td>$1,500</td>
</tr>
<tr>
<td></td>
<td>$3,525</td>
</tr>
</tbody>
</table>
The same,
vs. Schooner Mary.
The same,
vs. Schooner Lady Gore.
The same,
vs. Schooner Confiance.
The same,
vs. Sloop Mary Ann.
The same,
vs. 120 barrels of flour.
The same,
vs. Sloop Drummond.
The same,
vs. Schooner Hamilton.
The sloop of war Hornet,
vs. Ship William.
The same,
vs. 24 bags, contg. gold and siver coin.
The frigate President,
vs. 22 puncheons of rum, &c.
The same,
vs. 14 puncheons of merchandise.
The gun boats,
vs. Schooner Fame and cargo.
The Essex,
vs. Ship Atlantic, alias Essex, junior.
The frigate Constitution,
vs. Ship Susannah and cargo.

\[ \text{Gross proceeds} \begin{align*}
2,512 \\
2,500 \\
4,835 \ 84 \\
1,600 \\
1,709 \ 37 \\
600 \\
4,925 \ 84 \\
6,200 \\
19,430 \ 24 \\
9,490 \ 07 \\
8,773 \ 17 \\
7,569 \ 63 \\
3,100 \\
73,192 \ 21
\end{align*} \]
The same, vs. 8 casks of glass ware.  

\[
\begin{align*}
\text{Gross proceeds} & \quad 1,995.68 \\
\text{Total gross amount} & \quad 241,843.00
\end{align*}
\]

The above is a statement of the gross proceeds paid into court, the costs in each cause after being taxed, has been paid by the clerk out of the gross proceeds in court.  

Half of the within amount is due to the Navy Pension Fund, after deducting costs and charges, and no part of which has been paid to the Treasurer of the United States.

---

C. No. 9.

*Copy of the official returns of the sale of a raft of Boards and Planks, to wit:*

Gross amount of sales of a raft of boards and planks,  $416.87

Deduct therefrom,

- The marshal taxed costs,  $46.92
- District attorney do.  17.00
- The clerk's do.  20.66  84.29

Distribution.

- One half to the United States  166.14
- The other half  166.15

Deduct commission of my agent, Wm. G. Jones, for receiving and paying the money, 1 per cent. on the whole  3.32

Discount on the Treasury Notes paid by the asst. dep. qr. m. general, for the raft
The United States and commodore Macdonough, and the other officers, and crews of the United States' squadron on lake Champlain, vs. The British ship Confi- dence, and armament, &c.

Caption fee on monition attaching ship, - - $2.00
Mileage from New York to Champlain, going to attach ship, 332 miles, at 5 cents per mile, - - 16.60
Printer publishing libel to show cause why ship should not be condemned to captors, - - 10.00
Marshals custody fee, from Feb. 2, 1815, to May 24, 1815, is 110 days, at 12s. per day - - 165.00

Plattsburgh, December 6th, 1816.

[Signed] PETER SAILLY,
Collector.

C. No. 10.

(Copy.)
Keeper's fees 110 days, at 8s per day - - 110 00
Making proclamations - - - - $ 303 60

$ 304 50
Taxed at three hundred and four dollars and fifty cents.
New York, December 28, 1816.
[Signed] W.P. VAN NESS.

The same, vs.
Sloop Chub, armament, &c.

Attaching sloop - - - - $ 2 00
Publishing Libel - - - - 10 00
Mileage, 332 miles going to attach sloop - - - - 16 00
Making proclamations - - - - 90
Marshal's custody fee, from February 2d, 1815, to May 24, 1815, is 110 days, at 12s per day - - - - 165 00
Keeper's fees 110 days, at 8s per day - - - - 110 00

$ 304 50
Taxed at three hundred and four dollars and fifty cents.
New York, December 28, 1816.
[Signed] W. P. VAN NESS.

The same, vs.
Brig Linnet, armament, &c.

Attaching brig - - - - $ 2 00
Printer publishing libel - - - - 10 00
Mileage, 332 miles going to attach brig - - - - 16 60
Making proclamations - - - - 90
Marshal's custody fee, from Feb. 2, 1815, to May 24, 1815, is 110 days, at 12s per day - - - 165.00
Keeper's fee, 110 days, at 8s per day - - - 110.00

304.50

Taxed at three hundred and four dollars fifty cents.

New York, December 28, 1816.

[[Signed] W. P. VAN NESS.

---

The same,

vs.

Sloop Finch, and armament, &c.

Attaching sloop, - - - - - $2.00
Printer publishing libel - - - - - 10.00
Mileage, 332 miles going to attach sloop - - - - - 16.60
Making proclamations - - - - - 90
Marshal's custody fee, from Feb. 2, 1815, to May 24, 1815, is 110 days, at 12s per day - - - 165.00
Keeper's fees, 110 days, at 8s per day - - - 110.00

304.50

Taxed at three hundred and four dollars fifty cents.

New York, December 28, 1816.

[signed] W. P. VAN NESS.

---

Marshal's Aggregate Costs.

The United States, &c. &c. vs. British ship Confiance, &c. Taxed costs. $304.50
The same, vs. British ship Chub, &c. Taxed costs. 304.50
The Marshal's costs examined and allowed in the above causes, and certified at twelve hundred and eighteen dollars.

[Signed] W. P. VAN NESS.

New York, Dec. 28, 1816.

C. No. 11.

(Copy.)

In the case of the brig Linnet, her tackle, apparel, furniture and armament, a prize to the United States squadron under the command of commodore M'Donough.

<table>
<thead>
<tr>
<th>Commissioner's Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For receiving and entering a notice of capture, 5 00</td>
<td></td>
</tr>
<tr>
<td>For attending at place where captured property was, 20 00</td>
<td></td>
</tr>
<tr>
<td>For attending to the safety of the vessel, inspecting captured property, and receiving and examining all letters, documents, and papers, relative to the same, 50 00</td>
<td></td>
</tr>
</tbody>
</table>

\[ \text{Deduct} \ 25 \ 00 \]

\[ \text{Taxed, January 16, 1817, at fifty dollars.} \]

[Signed] W. P. VAN NESS.
In the case of the ship Confiance, her tackle, apparel, furniture, and armament, a prize to the United States squadron under the command of commodore M·Donough.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For receiving and entering a notice of capture</td>
<td>$5 00</td>
</tr>
<tr>
<td>For attending at place where captured property was</td>
<td>$20 00</td>
</tr>
<tr>
<td>For attending to the safety of the vessel, inspecting captured property, and receiving and examining all letters, documents and papers relative to the same</td>
<td>$50 00</td>
</tr>
<tr>
<td>For drafting and copying the answers of N. L. Montgomery and Joshua Justinian to the standing interrogatories, fol. 65,</td>
<td>$32 10</td>
</tr>
<tr>
<td>For making up return and transmitting papers and information to clerk's office</td>
<td>$5 00</td>
</tr>
</tbody>
</table>

Deduct $75 00

Taxed, January 16, 1817, at eighty-two dollars and ten cents.

[Signed] W. P. VAN NESS.

In the case of the sloop Finch, her tackle, apparel, furniture, and armament, a prize to the United States' squadron, under the command of commodore M·Donough.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For receiving and entering a notice of capture</td>
<td>$5 00</td>
</tr>
<tr>
<td>For attending at place where captured property was</td>
<td>$20 00</td>
</tr>
<tr>
<td>For attending to the safety of the vessel, inspecting captured property, and receiving and examining all letters, documents, and papers, relative to the same</td>
<td>$50 00</td>
</tr>
</tbody>
</table>

Deduct $75 00

Taxed, January 16, 1817, at fifty dollars.

[Signed,] W. P. VAN NESS.
In the case of the sloop Chub, her tackle, apparel, furniture, and armament, a prize to the United States' squadron, under the command of commodore M'Donough.

For receiving and entering a notice of capture, 5 00
For attending at place where captured property was, 20 00
For attending to the safety of the vessel, inspecting captured property, and receiving and examining all letters, documents, and papers, relative to the same, 50 00

Deduct 75 00
25 00

$50 00

Taxed, January 16, 1817, at fifty dollars.

[Signed] W. P. VAN NESS.

C. No. 12.

(Sign.)

New York, January 24, 1817.

SIR,

Agreeably to your request I have at length obtained, and now enclose to you, the taxed bills of costs of the officers of the court, for the prize proceedings against the squadron captured on lake Champlain. Upon the amount being paid, the court will not, I presume, deem any further proceedings necessary, in relation to these vessels. The Judge has not yet decided upon the question of admitting a neutral claim to a part of the cargo of the ship Susanna. He informed me that sufficient to meet this claim, if allowed, must be retained for the present in court, and the residue should be paid over by the clerk, to the credit of the Treasurer. But the judge has returned to his residence in the country, and I have not been able to see the clerk since.

I have the honor to be, &c.

JONA. FISK.

Hon. B. W. Crowninshield,
Secretary of the Navy, Washington.
C. No. 13.

(Copy.)

The United States and commodore M'Donough, and other officers and crews of the United States' squadron on lake Champlain,

vs.

British ship Confiance and armament, &c.

The same

vs.

Brig Linnet and armament, &c.

The same

vs.

Sloop Chirle and armament, &c.

The same

vs.

Sloop Finch and armament, &c.

$50

$50

$50

$50

$200

I certify the costs and charges of the attorney of the United States in the four causes above, entitled at two hundred dollars.

Dated, January 13, 1817.

[Signed]

N. Sanford, Attorney.

C. No. 14.

(Copy.)

New York, Feb. 1, 1817.

SIR,

I have the honor to enclose you, duplicate of the receipt of the cashier of the City Bank, in the city of New York, for twenty two thousand seven hundred and fifty seven dollars, fifty six cents, paid into the said bank by the clerk of the district court of the United States, for the southern district of New York, to the credit of the Treasury of the United States. The ship Susannah and cargo, prize
to the United States frigate Constitution, is the source from whence
the above arose; an abstract statement of the proceedings of the said
court in the cause, is also enclosed.

I am directed by the clerk (who is at present indisposed) to in-
form you, that the two per centum accruing to the sailors' fund, on the
nett proceeds of prizes to private armed vessels, in all causes deter-
mined, where the same was in court, has been paid to the collector of
the district of the city of New York.

I have the honor to be, &c.

[Signed] ROBERT FINN.
Deputy Clerk, Southern Dis. N. Y.

Hon. Benj. W. Crowninshied,
Secretary of the Navy, Washington.

C. No. 15.

(Copy.)

New York District Court.

The United States of America, and the officers and
crews composing the squadron on Lake Ontario,
Isaac Chauncey, commander,

vs.

The schooner Hamilton, her tackle, apparel, and fur-

niture.

The above schooner was captured by the squadron under the
command of commodore Chauncey, on Lake Ontario, on the 5th
October, 1815, and condemned as prize of war to the use of the
United States, and the officers and crews aforesaid. The one half
nett proceeds of the sales of the said schooner accruing to the United
States, is two thousand two hundred and twenty dollars and sev-
enty two cents; which has been paid into the City Bank, in the city
of New York, to the credit of the Treasurer of the United States,
according to the law and rules of said court.

New York, 26th Dec. 1815.

[Signed] THERON RUBB, CLK.
New York District Court.

The United States of America, and the officers and crew of the squadron on Lake Ontario, Isaac Chauncey, commander, vs. Abstract.

One hundred and twenty barrels of flour, one eighteen pounder, and five hundred shot.

The above articles were captured by the squadron under the command of commodore Chauncey, on Lake Ontario, on the 31st July, 1813, and condemned as prize of war to the use of the United States, and the officers and crews of said squadron. The one half nett proceeds of the sales of the said articles accruing to the United States, is seven hundred and seventy dollars 69 cents. Paid by the clerk into the City Bank, in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, 26th Dec. 1815.

[Signed] THERON RUDD, Ck.

$770 69

C. No 17.

(Copy)

New York District Court.

The United States of America, and the officers and crew of the United States ship of war Hornet, vs. Abstract.

The ship William, her tackle, apparel and furniture.

The above vessel was recaptured on the 30th December, 1812, from the prize crew belonging to the British frigate Java, and brought into the city of New York for adjudication; when salvage was decreed on the said recapture, the one half amount of said salvage accruing to the United States, after deducting all charges, costs and dis-
bursements allowed by the court, is one hundred and forty-seven dollars forty-one cents; which has been paid by the clerk into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, December 26, 1815.

$147.41

[Signed] THERON RUDD, Clerk.

C. No. 18.

(Copy.)

New York District Court.

The United States of America, and the officers and crew of the United States ship Hornet.

vs.

Divers trunks, boxes, packages, and parcels of goods, &c. taken out of the British schooner Ellen.

Abstract.

The above goods and merchandise were captured by the United States ship of war Hornet, James Lawrence, Esq. commander, on the 30th December, 1812, in the British schooner Ellen, and brought into the district of New York for adjudication, where the same were finally condemned as prize of war to the use of the United States, and the officers and crew aforesaid. The one half nett proceeds accruing to the United States, is five thousand two hundred and fifty-five dollars thirty-eight cents, which has been paid by the clerk into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, 26th December, 1815.

$5,255.38

[Signed] THERON RUDD, Clerk.
New York District Court.

The United States of America, and the officers and crew of the United States frigate President, vs.

Twenty-two puncheons rum, thirteen trunks of merchandise, three boxes of merchandise, one hundred fathoms of three inch rope, one seven inch hawser, and one fore and aft mainsail taken out of the British schooner Jonathan.

The above goods and merchandise were captured by the United States frigate President, on the 1st day of February, 1814, and brought into the district of New York for adjudication, where the same were finally condemned as prize to the use of the said United States, and the officers and crew aforesaid. The one half nett proceeds accruing to the United States, is three thousand four hundred and forty-seven dollars thirty-eight cents, which has been paid into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, 26th December, 1815.

$3,447 38

[Signed] THERON RUDD, Clerk.

New York District Court.

The United States of America, and the officers and crew of the United States' frigate Essex, David Porter, Esq. commander, vs.

The ship Atlantic, otherwise called the Essex Junior, her tackle, apparel, and furniture.
The above vessel was captured by the United States frigate Essex, David Porter, Esq. commander, near the Gallipago islands, in the Pacific Ocean, on the 30th day of May, 1813, and condemned as prize of war to the use of the United States, and the officers and crew of the said frigate Essex. The nett proceeds of the sales of the said vessel accruing to the United States, and the said officers and crew, is seven thousand four hundred and eighty two dollars, eighty three cents, which has been paid into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

[Signed]

THERON RUDD,

Clerk of the So. Dist. New York.

$7,482 83.

C. No. 21.

New York District Court.

The United States of America, and the officers and crew of the United States Flotilla, under the command of Jacob Lewis, Esq. stationed at New York, 

The schooner Fame, otherwise called the Pomerania, her tackle, apparel, and furniture and cargo.

The above vessel was captured by the squadron or flotilla, under the command of commodore Jacob Lewis, at the city of New York, on the 26th day of April, 1814, and condemned as prize of war to the United States, and the officers and crew of the said squadron. The one half nett proceeds of the sales of the said schooner and cargo accruing to the United States, is three thousand two hundred and fifty five dollars ten cents, which has been paid into the City Bank, in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

[Signed]

THERON RUDD, Clerk.

New York, 26th December, 1815.

$3,255 10
The United States of America, and the officers and crew of the United States ship Hornet, vs. Twenty four bags of gold and silver coins captured in the British ship Resolution.

The above twenty-four bags of gold and silver coins were captured in the British ship Resolution, on the 4th day of February, 1813, by the United States' ship Hornet, James Lawrence, Esq. commander, and brought into the district of New York for adjudication, where the same were finally condemned as prize of war to the use of the United States, and the officers and crew aforesaid. The one half nett proceeds accruing to the United States, is eight thousand four hundred and thirteen dollars and seventeen cents, which has been paid by the clerk into the City Bank, in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

[Signed] THERON RUDD, Clerk.

New York, 26th December, 1815.

§8413 17
Present—The honorable William P. Van Ness, esq. judge of said court.

300 marquetas or cakes of tallow, part of the cargo of the ship Susannah, Gardiner Greene Howland, of the city of New York, merchant, on behalf of Ambrosio de Lezrica, Tomas Antonio de Lezrica, and Andes Cavaillon, of Buenos Ayres, merchants, claimant,

adstn. The United States of America, and the officers and crew of the United States frigate Constitution, Charles Stewart, esq. commander,

On motion of George Brinckerhoff, esq. proctor for the above named Ambrozio de Lezrica, Tomas Antonio de Lezrica, and Andres Cavaillon. It is ordered that the clerk examine and report the amount of their claim, and that he retain the same until the further order of this court.

And it is further ordered by the court, that the clerk pay the remainder of the money in court in this cause, into the City Bank in the city of New York, to the credit of the Treasurer of the United States.

[Signed] THERON RUDD, Clerk.

The same adsm.

The same.

I, Theron Rudd, clerk of the district court of the United States of America, for the southern district of New York, do hereby certify, that in obedience to the aforesaid rule or order of court, I have examined the claim above mentioned, and that it appears from the papers on file in my office, in the said cause, that the three hundred marquetols of tallow therein mentioned, as far as the same can be ascertained, and which were sold under the direction of the marshal of this district, produced the sum of eight thousand eight hundred and sixty-one dollars fifty-two cents; that the avarage of duties, costs and charges thereon, amounted to the sum of nineteen hundred and nine dollars and seventy cents; and that the nett proceeds of the same amounted to the sum of six thousand nine hundred and fifty one dollars and eighty-two cents, all of which is respectfully submitted.

[Signed] THERON RUDD, Clerk.

New York, 18th January, 1817.
District court of the United States of America, for the southern district of New York:

The United States of America and the officers and crew of the United States frigate Constitution, vs. The ship Susannah and cargo. Abstract.

The ship Susannah and cargo were captured by the United States frigate Constitution, Charles Stewart, esq. commander, on the 15th day of February, 1815, in the Atlantic Ocean, and were condemned as prize to the United States, and the said officers and crew. The one half nett proceeds of the sales thereof accruing to the United States, after deducting from such half the amount of the aforesaid claim, is twenty-two thousand seven hundred and fifty-seven dollars forty-six cents, paid into the City Bank in the city of New York to the credit of the Treasurer of the United States, pursuant to the order of the said court, made in this cause, the 18th January, 1817.

$22,757.46

[Signed] THERON RUDD, Clerk.

The same vs. The same

Duplicate.

Received, New York, 31st January, 1817, of Theron Rudd, esq. clerk of the district court of the United States, for the southern district of New York, twenty-two thousand seven hundred and fifty seven dollars forty-six cents, being the one-half nett proceeds in the above cause, paid into the City Bank in the city of New York; which sum is by the said bank to be carried to the credit of the Treasurer of the United States, and for which triplicate receipts are given.

$22,757.46

[Signed] FLEWWELLING, Cashier, C. B.

(Copy.)

At a stated district court of the United States of America, held for the southern district of New York, at the city of New York, on Thursday the 12th day of December, 1816.
Present—The honorable William P. Van Ness, esq. judge of the said district.

The United States of America, and the officers and crew of the United States' frigate Essex, vs. The ship Atlantic, otherwise called the Essex Junior.

On motion of the attorney of the United States—It is ordered, that the moneys remaining in this court in this cause, belonging to the United States, be deposited by the clerk of this court, in the City Bank in the city of New York forthwith; and that the amount of the said money be forthwith carried in account with the said bank to the credit of the Treasurer of the United States, on account of the Naval Pension Fund; and that the clerk of this court transmit copies of the certificate of such deposit, to the Treasurer of the United States, and to the Secretary of the Navy within two days after such deposit shall be made by him.

District court of the United States, for the southern district of New York.

The United States of America, and the officers and crew of the United States' frigate Essex vs. The ship Atlantic, otherwise called the Essex Junior.

Received New York, 12th December, 1816, of Theron Rudd, esq. clerk of the district court of the United States, for the southern district of New York, seven thousand four hundred and eighty-two dollars eigty-three cents, being the whole amount of nett proceeds in the above cause, paid into the City Bank in the city of New York, pursuant to a rule of court, which sum is to be carried by the said bank to the credit of the Treasurer of the United States, and for which I have given triplicate receipts.

$7,482 83

The United States of America, and the officers and crews composing the squadron on Lake Ontario, Isaac Chauncey commander, 

vs.

The schooner Lady Murray, her tackle, apparel, and furniture.

The above vessel was captured by the squadron under the command of commodore Isaac Chauncey, on Lake Ontario, on the 16th June, 1813, and condemned as prize of war, to the use of the United States, and the officers and crews of the said squadron. The one half nett proceeds of the sales of the said schooner accruing to the United States, amounts to four hundred and sixty three dollars and eighty cents, which has been paid by the clerk into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, 26th, December, 1815.

$463 80

[Signed] THERON RUDD, Clerk.

The United States of America, and the officers and crews composing the squadron on Lake Ontario, Isaac Chauncey, commander, 

vs.

The schooner Confiance, her tackle, apparel, and furniture.

The above vessel was captured by the squadron under the command of commodore Chauncey, on Lake Ontario, on the 5th October, 1813, and condemned, as prize of war, to the use of the United States, and the officers and crews aforesaid. The one half nett proceeds of the sales of the said schooner, accruing to the United States, amounts to four hundred and sixty three dollars and eighty cents.
States, is two thousand one hundred and seventy-two dollars and seventy-two cents, which has been paid into the City Bank in the city of New York, to the credit of the Treasurer of the United States.

New York, 26th December, 1815.

$2,172.72

Signed] THERON RUDD, Clerk.

C. No. 26.

(Copy.)

New York District Court.

The United States of America, and the officers and crews of the squadron under the command of commodore Chauncey, on Lake Ontario, 39.

The brig Duke of Gloucester, her tackle, apparel, and furniture.

The above brig or vessel, was captured by the squadron, under the command of commodore Chauncey, on Lake Ontario, on the 27th April, 1813, and were condemned as prize of war, to the use of the United States, and the officers and crews aforesaid. The one half nett proceeds of the sales of the said vessel, accruing to the United States, is ten hundred and seventy three dollars five cents: which has been paid by the clerk into the City Bank, in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, 26th December, 1815.

$1,073.05

[Signed] THERON RUDD, Clerk.
The United States of America, and the officers and crews composing the squadron on Lake Ontario, Isaac Chauncey, commander,

vs.

Three bales clothing, three hogsheads clothing, fifty barrels of Flour, one large box of hats, and one caboose.

The above articles were captured by the squadron under the command of commodore Chauncey, on Lake Ontario, on the 18th June, 1813, and were condemned as prize of war, to the use of the United States, and the officers and crews aforesaid. The one half nett proceeds of the sales of the said articles accruing to the United States, is five hundred and thirty six dollars and four cents: which has been paid by the clerk into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

[Signed] THERON RUDY, Clerk.

New York, 26th December, 1815.
The above articles were captured by the squadron under the command of commodore Chauncey, on Lake Ontario, on the 15th June, 1813, and condemned as prize of war to the use of the United States, and the officers and crews of said squadron. The one half nett proceeds accruing to the United States, is thirteen thousand nine hundred and seventy-nine dollars and thirteen cents: which has been paid by the clerk into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

[Signed] THERON RUDD, Clerk.

New York, 26th December, 1815.

$13,979 13.

C. No. 29.

(Copy.)

New York District Court.

The United States of America and the officers and crew of the United States' frigate President, vs.

Fourteen puncheons of merchandise, twenty three boxes of merchandise, three quarter casks of port wine, thirteen jars, of merchandise, two trunks of merchandise, eight casks of merchandise, thirteen barrels of pork, twelve tiers of beef, fifteen fathoms of seven inch rope, one coil of three inch rope, one coil of spun yarn, thirty five fathoms of five inch rope, fifty five fathoms of four and an half inch rope, forty nine pigs of block tin, two and an half bolts of English canvas, one rope maker's wench, three seines, one jib, one topsail, two composition pipes, forty nine pigs of block tin, two bundles of tarpaulins, twenty-one kegs of paint, one role of sheet lead, two copper lamps, one jug of bright varnish, one case of fowling pieces, and pistols, and sixty-four bolts of British linen; taken out of the British ship Wanderer.
The above goods and merchandise were captured by the United States' frigate President, on the sixth day of February, 1814, and brought into the port of New York, for adjudication, where the same were finally condemned as prize of war to the use of the United States, and the officers and crew aforesaid. The one half nett proceeds accruing to the United States, is three thousand three hundred and eleven dollars and sixty four cents, paid into the City Bank in the City of New York, to the credit of the Treasurer of the United States, according to the rules of said Court.

New York, 26th December 1815.

$3,311 64

(Signed) THERON RUDD, Clerk

C. No. 30.

(Copy.)

New York District Court.

The United States of America, and the officers and crew of the squadron on Lake Ontario, Isaac Chauncey, commander,

vs.

Two kegs carbine cartridges, one thousand five hundred each, twenty kegs of musket cartridges, five hundred each, one keg of musket flints, one box of twelve ounce cartridges, and two barrels of twelve ounce cartridges, forty-eight each, one box of cylinders, and forty-eight fusees, six barrels of flour, fifty-one tiers of peas, ninety-nine barrels of pork, three boxes of strap shot, two boxes of cannister shot, two boxes of sphere case shot, twenty spades, one half barrel of rice, thirteen pick-axes, one suit of sails, running rigging complete, one anchor and cable, one caboose, one compass, a parcel of spare blocks, two sweeps, one bucket, and one white flag.
The above articles were captured by the squadron under the command of commodore Chauncey, on lake Ontario, on the 18th June, 1813, and were condemned as prize of war to the use of the United States, and the officers and crews aforesaid. The one half nett proceeds accruing to the United States, is fifteen hundred and sixty seven dollars fifty-seven cents; which has been paid by the clerk into the City Bank in the city of New York, to the credit of the Treasurer of the United States, according to the rules of said court.

New York, 26th December, 1815.

[Signed] THERON RUDD, Clerk.

C. No. 31.

(Copy.)

District Court of the United States of America, Southern District New York.

The United States of America, and the officers and crew of the United States fleet or squadron under the command of commodore Macdonough, on Lake Champlain, vs.

The ship Confiance, her tackle, apparel and furniture, guns, arms, stores and ammunition, &c.

Filing libel 6, rule for monition, entering, and order thereon $0 66
Draft monition, fo. 12, § 1 80, engrossing and sealing, $2 65
Rule for return, 30, filing monition, and return, 12, entering, do. and order thereon 77
Filing examination in preparatorio, and commissioners returns 24
Docketing and entering cause, on prize Calendar, for 14 days 3 71
Copy of examinations in preparatory, for attorney, Rl. 5, 
   fo. 72, and certifying - - - - 7 00
Making statement of cause for the court - - - - 10 00
Copy of record and examinations in preparatory, fr. do. 
   fo. 84 - - - - 9 00
Rule for trial and order thereon - - - - 4 50
Rules to read libel, munition, return, and examinations 
   in preparatory, - - - - 1 50
Orders of court thereon - - - - 1 00
Reading libel, &c. &c. do. - - - - 6 00
Rule and order for 1, 2 and 3 proclamations - - - - 1 35
Entering 3 proclamations - - - - 4 50
Rules and order that defaults be entered - - - - 1 35
Entering three defaults - - - - 3 00
Criers' fees - - - - 5 00
Drawing and entering decree of condemnation and order 
   of sale - - - - 4 00
Dif. venditioni exponas, $1 80, engrossing and seal¬
   ing, $2 65 - - - - 4 45
Drawing and entering countermand to execution, and 
certified copy for the marshal - - - - 1 10
Drawing and entering rule for marshal to make special 
   returns - - - - 1 60
Filing venditioni exponas, 6, return 6, entering do. and 
   order thereon 35 - - - - 4 7
Registering record and proceedings in this cause, fo. 12, 
   and order thereon - - - - 12 30
Dif. and duplicate copy of bill of costs - - - - 1 50

   $277 64

The same, vs. 
The brig Linnet, &c. &c. The like, 69 41

The same, vs. 
The sloop Finch, &c. &c. The like, 69 41

The same, vs. 
The sloop Chub, &c. &c. The like, 69 41

Allowed and taxed the above four bills of cost, at two hundred 
and seventy seven dollars, and 64 cents.

New York, 12th January, 1817.

[Signed] W. P. VAN NESS.
New York, District Court.

The United States of America,

vs.

The sloop Fancy and cargo.

This vessel and cargo were seized by lieutenant Renshaw, of the United States' navy, for a breach of the embargo law, and were finally condemned by the district court for the same. The one half nett proceeds thereof accruing to the United States, amounts to eighty-eight dollars and forty-five and a half cents.

§ 88 45½

The same

vs.

The sloop Elizabeth.

This vessel was captured on Lake Ontario, by captain Chauncey of the United States' navy, and was condemned by the district court as forfeited to the use of the United States, and the officers and crews of the vessels, under the command of captain Chauncey. The one half nett proceeds in this cause, accruing to the United States, amounting to sixteen hundred and thirty-seven dollars, six and a half cents.

§ 1,637 06½

The same

vs.

The schooner Mary.

This vessel was captured on Lake Ontario, by captain Chauncey, of the United States' navy, and was condemned by the district court of New York, as forfeited to the use of the United States, and the officers and crews under his command. The one half nett proceeds accruing to the United States, amounts to eleven hundred and forty-three dollars, twenty-two and a half cents.

§ 1,143 22½
**STATEMENT of Stocks purchased for the Navy Pension Fund.**

<table>
<thead>
<tr>
<th>Stocks</th>
<th>When purchased</th>
<th>By whom purchased, as agents</th>
<th>Nominal.</th>
<th>Unredeemed amount.</th>
</tr>
</thead>
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<tr>
<td>8 per cent.</td>
<td>November 1800</td>
<td>George Simpson</td>
<td>10,000</td>
<td>8,100</td>
</tr>
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<td></td>
<td>December 1801</td>
<td>Ditto</td>
<td>8,000</td>
<td>7,500</td>
</tr>
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<td></td>
<td>March 1802</td>
<td>Ditto</td>
<td>2,000</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>March 1803</td>
<td>Ditto</td>
<td>1,000</td>
<td>500</td>
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<tr>
<td>Navy 6 per cent.</td>
<td>November 1800</td>
<td>George Simpson</td>
<td>31,800</td>
<td>31,800</td>
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<td></td>
<td>November 1801</td>
<td>Ditto</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>March 1802</td>
<td>Ditto</td>
<td>500</td>
<td>500</td>
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<tr>
<td>Converted 6 per cent.</td>
<td>August 1807</td>
<td>George Macdaniel</td>
<td>3,000</td>
<td>3,000</td>
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<td>Old 6 per cent.</td>
<td>November 1800</td>
<td>George Simpson</td>
<td>6,000</td>
<td>6,000</td>
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<td>October 1801</td>
<td>Ditto</td>
<td>3,000</td>
<td>3,000</td>
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<tr>
<td></td>
<td>November 1802</td>
<td>Ditto</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>March 1803</td>
<td>Ditto</td>
<td>500</td>
<td>500</td>
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<td></td>
<td>April</td>
<td>Ditto</td>
<td>1,000</td>
<td>1,000</td>
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<tr>
<td>Deferred</td>
<td>November 1800</td>
<td>George Simpson</td>
<td>15,300</td>
<td>15,300</td>
</tr>
<tr>
<td></td>
<td>October 1801</td>
<td>Ditto</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td></td>
<td>November 1802</td>
<td>Ditto</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>December 1803</td>
<td>Ditto</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>March 1804</td>
<td>Ditto</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Louisiana</td>
<td>June 1805</td>
<td>George Harrison</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>March 1806</td>
<td>Samuel Hambleton</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>September 1806</td>
<td>George Macdaniel</td>
<td>35,000</td>
<td>35,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>38,000</td>
<td>38,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>38,000</td>
<td>38,000</td>
</tr>
<tr>
<td>5 per cent.</td>
<td>March 1807</td>
<td>Samuel Hambleton</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td></td>
<td>April</td>
<td>Ditto</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>December</td>
<td>Ditto</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>6 per cent. (war)</td>
<td>May 1808</td>
<td>Thos. T. Tucker, subscribed</td>
<td>24,000</td>
<td>24,000</td>
</tr>
<tr>
<td></td>
<td>November 1808</td>
<td>Ditto</td>
<td>13,314 44</td>
<td>13,314 44</td>
</tr>
<tr>
<td></td>
<td>December 1808</td>
<td>Ditto, supplemental</td>
<td>27,858 44</td>
<td>27,858 44</td>
</tr>
<tr>
<td></td>
<td>October 1809</td>
<td>George Macdaniel</td>
<td>90,278 80</td>
<td>90,278 80</td>
</tr>
<tr>
<td></td>
<td>November 1809</td>
<td>Ditto</td>
<td>60,000</td>
<td>60,000</td>
</tr>
<tr>
<td></td>
<td>December 1809</td>
<td>Ditto</td>
<td>78,392 50</td>
<td>78,392 50</td>
</tr>
<tr>
<td></td>
<td>November 1810</td>
<td>George Macdaniel</td>
<td>42,000</td>
<td>42,000</td>
</tr>
<tr>
<td></td>
<td>December 1810</td>
<td>Ditto</td>
<td>11,300</td>
<td>11,300</td>
</tr>
<tr>
<td></td>
<td>December 1811</td>
<td>Ditto</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td></td>
<td>October 1811</td>
<td>Ditto</td>
<td>6,000</td>
<td>6,000</td>
</tr>
<tr>
<td></td>
<td>November 1811</td>
<td>Ditto</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Columbia Bank</td>
<td>September 1809</td>
<td>Ditto</td>
<td>57,001 43</td>
<td>57,001 43</td>
</tr>
<tr>
<td></td>
<td>November 1810</td>
<td>Ditto</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Washington Bank</td>
<td>November 1811</td>
<td>Ditto</td>
<td>11,000</td>
<td>11,000</td>
</tr>
<tr>
<td></td>
<td>December 1811</td>
<td>Ditto</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td></td>
<td>October 1812</td>
<td>Ditto</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td></td>
<td>November 1812</td>
<td>Ditto</td>
<td>11,000</td>
<td>11,000</td>
</tr>
</tbody>
</table>

**TREASURY DEPARTMENT,**

*Fourth Auditor’s Office, November 18, 1818.*

CONSTANT FREEMAN, Fourth Auditor.

**STATEMENT of the interest and reimbursement of Stocks, passed to the credit of the Navy Pension Fund, on the books of the Treasury.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Interest and Reimbursement</th>
<th>Total</th>
<th>Annual Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 31st December, 1803</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>1804</td>
<td>17,203 74</td>
<td>17,203 74</td>
<td>17,203 74</td>
</tr>
<tr>
<td>1805</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>1806</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>1807</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>1808</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>1809</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>1810</td>
<td>15,068 41</td>
<td>15,068 41</td>
<td>15,068 41</td>
</tr>
<tr>
<td>To 30th September, 1818</td>
<td>24,246 24</td>
<td>24,246 24</td>
<td>24,246 24</td>
</tr>
</tbody>
</table>

Annual amount of interest and reimbursement of stocks at this time, say 24,246 24

Annual amount of payments to pensioners, say 11,000

Surplus 13,246 24

**TREASURY DEPARTMENT,**

*Fourth Auditor’s Office, November 18th, 1818.*

CONSTANT FREEMAN, Fourth Auditor.
D. No. 2.

(Cont.)

STATEMENT of the proceeds of Prizes, received from and after the 20th June, 1812.

<table>
<thead>
<tr>
<th>NAME OF PRIZE</th>
<th>CAPTURED BY</th>
<th>WHERE CONDEMNED</th>
<th>PAID OVER BY</th>
<th>WHEN PAID</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brig Hazard,</td>
<td>Ship Wasp</td>
<td>Mass. district court, Wm. S. Shaw, clerk</td>
<td>Oct. 13, 1813</td>
<td>$1,564 27</td>
<td></td>
</tr>
<tr>
<td>Brig King George and cargo,</td>
<td>Frigate Essex, do.</td>
<td>do.</td>
<td>do.</td>
<td>$5,007 30</td>
<td></td>
</tr>
<tr>
<td>Brig Recovery and cargo,</td>
<td>Brigg Argus, do.</td>
<td>do.</td>
<td>do.</td>
<td>$5,087 70</td>
<td></td>
</tr>
<tr>
<td>Schr. Ellen,</td>
<td>Ship Hornt, do.</td>
<td>do.</td>
<td>do.</td>
<td>$14,654 27</td>
<td></td>
</tr>
<tr>
<td>Brigg Swallows,</td>
<td>President, John Rodgers, President, John Rodgers,</td>
<td>do.</td>
<td>do.</td>
<td>$12,570 98</td>
<td></td>
</tr>
<tr>
<td>500 pieces gold coin, captured from Brigg Argus,</td>
<td>President, John Rodgers, Frigate Congress, do.</td>
<td>do.</td>
<td>March 18, 1814</td>
<td>$3,565 72</td>
<td></td>
</tr>
<tr>
<td>100,000 specie, captured</td>
<td>George Biddle,</td>
<td>Wm. S. Shaw, Clerk</td>
<td>March 18, 1814</td>
<td>$14,654 19</td>
<td></td>
</tr>
<tr>
<td>Brigg Atlantic and cargo,</td>
<td>President, John Rodgers, Frigate Congress, do.</td>
<td>do.</td>
<td>March 10, 1817</td>
<td>$4,938 27</td>
<td></td>
</tr>
<tr>
<td>Brigg Liverpool Hen, part of her cargo,</td>
<td>Frigate Congress, do.</td>
<td>do.</td>
<td>do.</td>
<td>$78 31</td>
<td></td>
</tr>
<tr>
<td>Schr. Favorite and cargo,</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Brigg John and cargo, last part of the cargo of the schr. Ellen, that had been reserved for further proof,</td>
<td>Ship Hornet, do.</td>
<td>do.</td>
<td>do.</td>
<td>$4,886 16</td>
<td></td>
</tr>
<tr>
<td>Schr. Fly,</td>
<td>Frigate Chesapeake, do.</td>
<td>New Hampshire, Michael McClary,</td>
<td>Nov. 13, 1813</td>
<td>$4,072 78</td>
<td></td>
</tr>
<tr>
<td>For better sold,</td>
<td>Frigate Chesapeake, do.</td>
<td>do.</td>
<td>July 24</td>
<td>102 39</td>
<td></td>
</tr>
<tr>
<td>Schr. Volantier and cargo, A quality of copper,</td>
<td>Frigate Congress, do.</td>
<td>do.</td>
<td>March 13, 1814</td>
<td>$5,010 11</td>
<td></td>
</tr>
<tr>
<td>Ship John and cargo,</td>
<td>Ship Hornet, do.</td>
<td>New York, Philip Spencer,</td>
<td>Oct. 13, 1813</td>
<td>$70,260 66</td>
<td></td>
</tr>
<tr>
<td>Goods taken on board brigs King George and Leander,</td>
<td>Frigate Roser, do.</td>
<td>Pennsylvania, A. J. Dallas,</td>
<td>-</td>
<td>$6,779 14</td>
<td></td>
</tr>
<tr>
<td>Schr. High Flyer,</td>
<td>Vessels on the Charleston station,</td>
<td>Rhode Island, N. R. Knight,</td>
<td>Nov. 20, 1813</td>
<td>$5,352 93</td>
<td></td>
</tr>
<tr>
<td>Arms, goods and stores,</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Limppee and Swaller,</td>
<td>Frigates Essex &amp; President, do.</td>
<td>Maryland, Philip Moran,</td>
<td>July 31, 1814</td>
<td>$17,584 45</td>
<td></td>
</tr>
<tr>
<td>Schr. Mars,</td>
<td>Frig. President, Rodgers, Frig. President, Rodgers,</td>
<td>Rhode Island, N. R. Knight,</td>
<td>Nov. 20, 1813</td>
<td>$5,352 93</td>
<td></td>
</tr>
<tr>
<td>Schr. Alligator,</td>
<td>Vessels on the Charleston station,</td>
<td>Virginia, W. P. Foster,</td>
<td>July 15, 1814</td>
<td>$7,090 36</td>
<td></td>
</tr>
<tr>
<td>Schr. Jervis,</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Baldass,</td>
<td>Vessels on the Charleston station,</td>
<td>North Carolina, Carlton Walker,</td>
<td>Aug. 15, 1814</td>
<td>$10,526 85</td>
<td></td>
</tr>
<tr>
<td>Schr. Progress and tackle,</td>
<td>Vessels on the Charleston station,</td>
<td>Georgia, John Eppinger,</td>
<td>March 18, 1814</td>
<td>$687 97</td>
<td></td>
</tr>
<tr>
<td>Vessel of brig Aurora,</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Isabella and cargo,</td>
<td>Vessels on the Charleston station,</td>
<td>do.</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Money out of the ship Eperver,</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Iron* from the British brig Roc Birch,</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Eperver,</td>
<td>Ship Wasp, do.</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Brigg Albatross and stores,</td>
<td>Schr. Hazard and cargo, Brigg Orion,</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Hazard and cargo,</td>
<td>Schr. Hazard and cargo,</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Brigg Orion,</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Frigate Adams, Mollina,</td>
<td>Schr. Alabastor, Warrington,</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Alabastor,</td>
<td>(Schr. Adams, Warrington,</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Frigate Adams, Mollina,</td>
<td>Ship Wasp, Blakely,</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Frigate Adams, Mollina,</td>
<td>Vessels Charleston station,</td>
<td>do.</td>
<td>do.</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Gen. Rev. No. 100,</td>
<td>Gen. Rev. No. 100,</td>
<td>“</td>
<td>“</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Vessels Charleston station,</td>
<td>“</td>
<td>“</td>
<td>“</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Gen. Rev. No. 100,</td>
<td>“</td>
<td>“</td>
<td>“</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Do. Hermosa’s cargo,</td>
<td>New Orleans,</td>
<td>Thomas Shilling,</td>
<td>July 17, 1815</td>
<td>$1,596 43</td>
<td></td>
</tr>
<tr>
<td>Schr. Doila’s cargo,</td>
<td>-</td>
<td>-</td>
<td>“</td>
<td>1,461 43</td>
<td></td>
</tr>
<tr>
<td>Schr. Embassy and cargo,</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Schr. Trimmer and cargo,</td>
<td>Sold in France,</td>
<td>Wm. Lee, consul,</td>
<td>Aug. 12, 1814</td>
<td>$14,780 65</td>
<td></td>
</tr>
</tbody>
</table>

RECAPITULATION.

District court of Massachusetts, $148,556 40
New Hampshire, 36,535 13
New York, 5,266 66
Pennsylvania, 7,500 56
Rhode Island, 7,453 72
Maryland, 4,660 04
Virginia, 17,844 43
North Carolina, 9,269 83
South Carolina, 1,721 19
Georgia, 10,181 44
New Orleans, 5,102 10
Other places, 3,099 11
Total, $405,775 68

This money is paid into different banks, to the credit of the Treasurer of the United States, by officers of the district courts, &c.

*Hereafter rendered, but no account—sales showing the nett proceeds.

Treasury Department,
Fourth Auditor’s Office,
16th September, 1818

CONST. FREEMAN,
Fourth Auditor.
The United States of America, and the officers and crew of the United States' frigate Essex, vs. The sloop of war Alert.

This sloop of war was captured by the United States' frigate Essex, and condemned by the district court of the New York district, as forfeited to the use of the United States and the officers and crew of the said frigate. The one half nett proceeds in this cause accruing to the United States, amounts to six thousand four hundred and twenty-seven dollars, thirty one cents.

I certify the within to be a true and correct statement, from the records of the court in my office.

(Signed) PHILIP SPENCER, Clerk.

C. No. 33.

(Copy.)

Philadelphia, March 4, 1816.

The Hon. B. W. Crowninshield,

SIR,

Your letter of the 29th ult. was duly received, and in reply beg leave to state, that the money* mentioned in my letter of the 24th ultimo, arises from goods taken from on board the British Brig Lord Nelson, at sea, and consumed by the officers and crew of the Constitution, for public and private use, and paid for accordingly; they, therefore, were not brought before any court for adjudication, specifically, but condemnation was made of some articles landed at New York from on board the Constitution, together with a small matter, from the Susanna, which were taken from on board said vessel at sea, and sold in New York; the the proceeds of which was paid into court there, and from whom I received one half for the captors.
Agreeably to your request, I herewith enclose you a duplicate receipt from the Farmers' and Mechanics' Bank for $1704.48 passed to the credit of the Treasurer U. S.

I have the honor, &c.

JNO. M'CAULEY.

(Copy.)

Memoranda.

The frigate Constitution, while under the command of captain Stewart, has added to the capital of the navy fund, as follows, by captures made by said ship, viz:

Say, Susanna and cargo, sold at New York, May 20, 1816, $29,709.12

Goods from Lord Nelson and Susanna in July, 572.86

Do. do. do. from the Agent for captors, 1,704.48

$31,986.46

And to the U. S. nearly eight thousand dollars in duties.
D. No. 3.

STATEMENT OF PRIZE MONEYS, paid into different banks, to the credit of the Treasurer of the United States, for which no accounts or receipts have been rendered, in conformity to the act of Congress, passed in April 1816.—viz.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date(s)</th>
<th>Amount(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theron Rudd, clerk, district court, New York</td>
<td>December 26, 1815, December 12, 1816, February 6, 1817</td>
<td>$66,613.80, $7,482.63, $22,757.46</td>
</tr>
<tr>
<td>William Davies, U. States' district attorney, Georgia</td>
<td>22d May, 1816, 20th June, 1816, 21st January, 1817, 13th June, 1817</td>
<td>$1,422.25, $15,062.21, $14,000, $3,973.23</td>
</tr>
<tr>
<td>John M'Cauly, Philadelphia, (receipt rendered)</td>
<td>March the 4th, 1816</td>
<td>$1,704.48</td>
</tr>
<tr>
<td>David Caldwell, May 12, 1817</td>
<td>do do do</td>
<td>$25,003.40, $35,784.16, $62,492.04</td>
</tr>
</tbody>
</table>
# Recapitulation

<table>
<thead>
<tr>
<th>Location</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>76,854.09</td>
</tr>
<tr>
<td>Savannah, Geo.</td>
<td>34,437.69</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>62,492.04</td>
</tr>
</tbody>
</table>

(Dollars 173,803.82)

---

**Treasury Department**,  
4th Auditor's Office,  
September 16, 1818.

Constant Ereeman,  
4th Auditor.
LETTER

FROM

THE SECRETARY OF THE NAVY,

TRANSMITTING

DOCUMENTS, &c.

IN

RELATION TO THE NAVY PENSION FUND.

DECEMBER 10, 1818.

Read, and referred to the committee on Naval Affairs.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1818.
NAVY DEPARTMENT,
December 9th, 1818.

SIR,
I have the honor to submit to the House of Representatives, copies of accounts, &c. in relation to the Navy Pension Fund, received since the report of the 21st November last, and connected with the vouchers which accompanied that report.

I have the honor to be,

With the highest respect, Sir,
Your most obedient servant,

J. C. CALHOUN,
Acting Secretary of the Navy.

The Honorable the Speaker
of the House of Representatives.
Navy Department, Nov. 17, 1818.

SIR,

Your letter of the 5th instant, together with its enclosures, was duly received; and it is to be regretted that you have not rendered an account of the sales of the brig Atlantic and cargo, as that is a case, respecting which the department was particularly desirous of obtaining information, as the costs and charges amounted to nearly one-third of the proceeds.

I am very respectfully, sir,

Your most obedient servant,

J. C. CALHOUN,
Acting Secretary of the Navy.

John W. Davis, Esq.
Clerk of the U. S. District Court, Boston.

District Clerk's Office,
Boston, 27th Nov. 1818.

SIR,

In consequence of the suggestion in your letter of the 17th instant, I have now the honor of enclosing a copy of the sales, and costs, and charges, in the case of the brig Atlantic and cargo. To account for the delay in forwarding these papers, I would state, that the payment in this case was made some time since, by my predecessor, Mr. Shaw; and I had reason to presume that he transmitted the requisite documents at the time when he made that payment.

With the greatest respect,

I am, sir,

Your most obedient servant,

JOHN W. DAVIS.

To the Honorable
the Secretary of the Navy.
United States of America.

Massachusetts District.

Prize Court.

John Smith, esquire, Frigate Congress, vs. Brig Atlantic and cargo.

Costs, &c.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney's fees</td>
<td>$17</td>
</tr>
<tr>
<td>Marshal's fees, duties, &amp;c.</td>
<td>$13,462.25</td>
</tr>
<tr>
<td>Clerk's fees, filing, recording, &amp;c.</td>
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<td><strong>Total</strong></td>
<td><strong>$13,850.82</strong></td>
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Gross amount of sales - $44,989.08
Duties, costs, and charges - $13,850.82

Nett proceeds - $23,138.26

One moiety is - $14,069.13

Examined,

JOHN W. DAVIS, Clerk.

Allowed,

JOHN DAVIS,
Judge Massachusetts District.
Mashal's account of Sales of the Brigantine Atlantic and Cargo, prize to United States' ship of war Congress.

United States of America,
District of Massachusetts.

Pursuant to this precept, I have caused the vessel and merchandise mentioned therein, to be exposed and sold at public auction, and to the highest bidder, at Boston, on Tuesday, the first day of February instant, at ten o'clock, A. M. having given due notice of the time, place, and manner, of sale, by advertising the same in two of the public newspapers printed in Boston, according to law, and by proclamation of the town crier, on the day of sale; and at such sale, the purchasers were, agreeably to the schedule hereunto annexed.

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5212
35 5177

Tare, - 621 4556 40 Cwt. 2q. 20 lbs. at $17 5.8 - $716 96
MARSHAL'S ACCOUNT OF SALES—Continued.

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| Recapitulation, | 10,344 | 10,774 | 10,748 | 11,020 | 10,480 |

| 50 Hhds. Sugar to S. Foster. | |

| 10,344 | 10,774 | 10,748 | 11,020 | 10,480 |

| Recapitulation, | 10,344 | 10,774 | 10,748 | 11,020 | 10,480 |

| 53,366 | 350 | 53,016 | 6,361 |

| 46,655 | 416 Cwt. 2q. 7lbs. at $17 1-4. | |

| $7,185 69 |
MARSHAL’S ACCOUNT OF SALES—Continued.

20 Hhds. Sugar to I. L. Page.

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| Total | 11,752 | 11,496 | 20,336 | 181 Cwt. 2 q. 3 lbs. at £17 3-8. | 3154 78 |

8 Hhds. Sugar to Mr. Everett.

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| Total | 7554 | 67 Cwt. 1 q. 22 lbs. at £17 5-8 | 1188 72 |
## MARSHAL'S ACCOUNT OF SALES—Continued.

4 Hhds. Sugar to Fisk & Woodward.

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4236 504 3704 33Cwt. 0q. 8lbs. at $17 3-5. | 587 00 |

6 Hhds. Sugar to Stearns & Spelman.

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6516 776 5698 50Cwt. 3q. 14lbs. at $17 1-2. | 890 31 |

5 Hhds. Sugar to I. Richardson.

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6392 762 5595 49Cwt. 3q. 23lbs. at $17 5-8. | 880 44 |
MARSHAL’S ACCOUNT OF SALES—Continued.

15 Hhds. Sugar to M. Barnard.

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**Total:** 6000 5678 7024 18597 2231 16366 146Cwt. 0q. 14lbs. at £17 5-8. £2,575 45

50 Hhds. Sugar to I. Caldwell & Sons.

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10 Hhds. Sugar to I. Caldwell & Sons.

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| SI | 1,304 | 9568 85 Cwt, 1q. 20lbs. at £17 50. | £1,494 99 | £1,494 99 |
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21,158 - 188 Cwt. 3q. 18lbs. at S17 55.

$3,815 37$
MARSHAL'S ACCOUNT OF SALES—Continued.

20 Hbds. Sugar to Joseph Ripley.

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<td>20</td>
<td>1,080</td>
<td>948</td>
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</tr>
<tr>
<td>11</td>
<td>21</td>
<td>1,140</td>
<td>924</td>
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<tr>
<td>12</td>
<td>22</td>
<td>772</td>
<td>1,330</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>23</td>
<td>1,168</td>
<td>1,192</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>24</td>
<td>948</td>
<td>1,136</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>25</td>
<td>1,048</td>
<td>1,040</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Total</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10,560</td>
<td>10,553</td>
<td>10,560</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>21,118</td>
<td>140</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20,978</td>
<td></td>
</tr>
<tr>
<td>2,517</td>
<td>18,461</td>
<td>16 1/2 Cwt. 3q. 9lbs. at $17 40.</td>
<td>-</td>
</tr>
</tbody>
</table>

Less, 2 0 0 at $17 40. - - 3 80 $2,833 30

162 3 9
### MARSHAL'S ACCOUNT OF SALES—Continued.

10 Zeroons of Cotton to Mr. Chadman.

<table>
<thead>
<tr>
<th>No.</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>108</td>
<td>106</td>
<td>105</td>
<td>106</td>
<td>115</td>
<td>95</td>
<td>114</td>
<td>94</td>
<td>114</td>
<td>86</td>
</tr>
</tbody>
</table>

\[ \text{Total} = 1043 \]

\[ \text{5 to 62 at 31 cts.} = 976 \]

\[ \text{Total} = 302.66 \]

37 Zeroons of Cotton to Mr. Chadman.

<table>
<thead>
<tr>
<th>No.</th>
<th>61</th>
<th>62</th>
<th>63</th>
<th>64</th>
<th>65</th>
<th>66</th>
<th>67</th>
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<td>91</td>
<td>107</td>
<td>93</td>
<td>91</td>
<td>93</td>
<td>96</td>
</tr>
</tbody>
</table>

\[ \text{Total} = 1020 \]

\[ \text{Total} = 993 \]

\[ \text{Total} = 989 \]

\[ \text{Total} = 1,097.28 \]

\[ \text{Total} = 1,399.84 \]
MARSHAL'S ACCOUNT OF SALES—Continued.

50 Zeroons Cotton to Fisk & Woodward.

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>100</td>
<td>21</td>
<td>90</td>
<td>31</td>
<td>97</td>
</tr>
<tr>
<td>12</td>
<td>108</td>
<td>22</td>
<td>89</td>
<td>32</td>
<td>115</td>
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<tr>
<td>13</td>
<td>102</td>
<td>23</td>
<td>109</td>
<td>33</td>
<td>95</td>
</tr>
<tr>
<td>14</td>
<td>95</td>
<td>24</td>
<td>116</td>
<td>34</td>
<td>104</td>
</tr>
<tr>
<td>15</td>
<td>109</td>
<td>25</td>
<td>110</td>
<td>35</td>
<td>82</td>
</tr>
<tr>
<td>16</td>
<td>89</td>
<td>26</td>
<td>94</td>
<td>36</td>
<td>97</td>
</tr>
<tr>
<td>17</td>
<td>95</td>
<td>27</td>
<td>97</td>
<td>37</td>
<td>90</td>
</tr>
<tr>
<td>18</td>
<td>109</td>
<td>28</td>
<td>100</td>
<td>38</td>
<td>105</td>
</tr>
<tr>
<td>19</td>
<td>100</td>
<td>29</td>
<td>100</td>
<td>39</td>
<td>95</td>
</tr>
<tr>
<td>20</td>
<td>113</td>
<td>30</td>
<td>100</td>
<td>40</td>
<td>109</td>
</tr>
</tbody>
</table>

1015
1005
993
1019
1037
5069
25
5044
302
4742 at 31 cts.

£1,470 02
MARSHAL'S ACCOUNT OF SALES—Continued.

6 Barrels of Sugar to Fisk Hutchinson.

<table>
<thead>
<tr>
<th>No.</th>
<th>Cwt.</th>
<th>Qtr.</th>
<th>23/6s. at $18.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>230</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>205</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>252</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>345</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>345</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: 10 Cwt. 0q. 23lbs. at $18. $183 70

10 Barrels of Sugar to How and Spear.

<table>
<thead>
<tr>
<th>No.</th>
<th>Cwt.</th>
<th>Qtr.</th>
<th>26/6s. at $18.</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>205</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>210</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>260</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>235</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>247</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

Total: 274 Cwt. 3q. 26lbs. at $18. $323 08
MARSHAL'S ACCOUNT OF SALES—Continued.

5 Barrels of Sugar to Benjamin Coates.

<table>
<thead>
<tr>
<th>No.</th>
<th>Cwt.</th>
<th>Gbs.</th>
<th>Mbs.</th>
<th>at $18.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>1158</td>
<td>10</td>
<td>1148</td>
<td></td>
<td>$162 77</td>
</tr>
<tr>
<td>17</td>
<td>188</td>
<td></td>
<td></td>
<td></td>
<td>181 97</td>
</tr>
<tr>
<td>18</td>
<td>198</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>248</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>248</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1158</td>
<td>10</td>
<td>1148</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5 Barrels of Sugar to L. Bliss.

<table>
<thead>
<tr>
<th>No.</th>
<th>Cwt.</th>
<th>Gbs.</th>
<th>Mbs.</th>
<th>at $18.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>1289</td>
<td>10</td>
<td>1279</td>
<td></td>
<td>$181 97</td>
</tr>
<tr>
<td>22</td>
<td>305</td>
<td></td>
<td></td>
<td></td>
<td>126 77</td>
</tr>
<tr>
<td>23</td>
<td>238</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>188</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>25</td>
<td>273</td>
<td></td>
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</tr>
<tr>
<td>1289</td>
<td>10</td>
<td>1279</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MARSHAL'S ACCOUNT OF SALES—Continued.

5 Barrels of Sugar to F. A. Foxcraft.

<table>
<thead>
<tr>
<th>No.</th>
<th>257</th>
<th>252</th>
<th>256</th>
<th>245</th>
<th>263</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1273</td>
<td>10</td>
<td>1263</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>151</td>
<td>1112</td>
<td>9 Cwt, 3q. 20lbs. at $18 1-8.</td>
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<td></td>
</tr>
</tbody>
</table>

20 Barrels of Sugar to J. Saunders.

<table>
<thead>
<tr>
<th>No.</th>
<th>208</th>
<th>8\frac{1}{2}</th>
<th>260</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>315</td>
<td>82</td>
<td>230</td>
</tr>
<tr>
<td>91</td>
<td>248</td>
<td>6\frac{1}{2}</td>
<td>229</td>
</tr>
<tr>
<td>86</td>
<td>240</td>
<td>63</td>
<td>241</td>
</tr>
<tr>
<td>85</td>
<td>25\frac{1}{2}</td>
<td>59</td>
<td>247</td>
</tr>
<tr>
<td>92</td>
<td>253</td>
<td>73</td>
<td>255</td>
</tr>
<tr>
<td>88</td>
<td>206</td>
<td>60</td>
<td>232</td>
</tr>
<tr>
<td>93</td>
<td>266</td>
<td>74</td>
<td>247</td>
</tr>
<tr>
<td>89</td>
<td>210</td>
<td>56</td>
<td>263</td>
</tr>
<tr>
<td>81</td>
<td>285</td>
<td>57</td>
<td>247</td>
</tr>
<tr>
<td></td>
<td>2485</td>
<td>2452</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2485</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4937</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>40</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>4897</td>
<td></td>
</tr>
<tr>
<td></td>
<td>587</td>
<td>1310</td>
<td>38 Cwt, 1q. 26lbs. at $18 20.</td>
</tr>
</tbody>
</table>

|     |     |     |     |     |     |
|     |     |     |     |     |     |
|     |     |     |     |     |     |
|     |     |     |     |     |     |

$179 9\frac{1}{2}$

$700 24$
MARSHAL'S ACCOUNT OF SALES—Continued.

<table>
<thead>
<tr>
<th>10 Barrels Sugar to J. Steadman.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 30</td>
</tr>
<tr>
<td>32</td>
</tr>
<tr>
<td>33</td>
</tr>
<tr>
<td>34</td>
</tr>
<tr>
<td>95</td>
</tr>
</tbody>
</table>

| 1333 | 1303 | 2636 | 20 |

| 2616 | 314 |

| 2302 | 20 Cwt. 2q. 6lbs. at $18 1-8 | - | $372 53 |

<table>
<thead>
<tr>
<th>5 Barrels Sugar to Mr. Freeman.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 41</td>
</tr>
<tr>
<td>42</td>
</tr>
<tr>
<td>43</td>
</tr>
<tr>
<td>44</td>
</tr>
<tr>
<td>45</td>
</tr>
</tbody>
</table>

| 1285 | 1275 |

| 153 | 1122 | 10 Cwt. 0q. 2lbs. at $18 1-8 | - | $182 80 |
MARSHAL'S ACCOUNT OF SALES—Continued.

5 Barrels Sugar to Russell & Lincoln.

<table>
<thead>
<tr>
<th>No.</th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>46</td>
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<tr>
<td>47</td>
<td>226</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>264</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>227</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>310</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: 1277

10 1267

152 1115 9Cwt. 3q. 23lbs. at $18 1/4.

$181 67

5 Barrels Sugar to Mr. Sawtell.

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>51</td>
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<td>52</td>
<td>265</td>
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</tr>
<tr>
<td>53</td>
<td>278</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>220</td>
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<tr>
<td>55</td>
<td>238</td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

Total: 1284

10 1274

152 1122 10Cwt. 0q. 2lbs. at $18 1/4.

$182 82
<table>
<thead>
<tr>
<th>No.</th>
<th>Barrels Sugar to C. W. Greene.</th>
</tr>
</thead>
<tbody>
<tr>
<td>71</td>
<td>278 80 235</td>
</tr>
<tr>
<td>66</td>
<td>261 72 270</td>
</tr>
<tr>
<td>69</td>
<td>262 61 275</td>
</tr>
<tr>
<td>62</td>
<td>230 79 267</td>
</tr>
<tr>
<td>65</td>
<td>240 78 270</td>
</tr>
<tr>
<td>83</td>
<td>262 95 264</td>
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<tr>
<td>68</td>
<td>285 90 255</td>
</tr>
<tr>
<td>76</td>
<td>270 99 232</td>
</tr>
<tr>
<td>67</td>
<td>265 56 264</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2625 2583 2625</th>
</tr>
</thead>
<tbody>
<tr>
<td>3207 40</td>
<td></td>
</tr>
<tr>
<td>5167 4547 40Cwt. 2q. 11lbs. at $18.</td>
<td></td>
</tr>
</tbody>
</table>

$731.89 3,384.10.
MARSHAL’S ACCOUNT OF SALES—Continued.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>95 Barrels Sugar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brig Atlantic and Apps. to John Rice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Drip Stone to Mr. Prince</td>
<td></td>
<td>$2.95</td>
</tr>
<tr>
<td>1 Do. to Mr. Morse</td>
<td></td>
<td>$2.25</td>
</tr>
<tr>
<td>1 Do. to Mr. Blogge</td>
<td></td>
<td>$2.75</td>
</tr>
<tr>
<td>1 Do. to Mr. Green</td>
<td></td>
<td>$1.00</td>
</tr>
<tr>
<td>1 Do. to Mr. Bryant</td>
<td></td>
<td>$2.25</td>
</tr>
<tr>
<td>Amount Total</td>
<td></td>
<td>$2,775</td>
</tr>
</tbody>
</table>

**Deduct for Charges:**
- Order of Notice, $2
- Advertising Libel, $8.50
- Porting, $2
- Proclamations, 60 cts.
- Warrant Sale, $2
- Advertising Sale, $10.50
- Town Crier, 75 cts.
- Chas. W. Greene’s bill, $602.16
- Wm. Lovell’s bill, $8
- Commissioner’s bill, $8
- Duties at Custom House, $12.20
- Fees at Custom House, $6.50
- John Adamson’s bill, $75
- Bill of Sale, $1
- Commissions, 2 1/2 per cent on $500, $12.50
- Do. 1 1/4 do. on $41,989.08, $518.61

**Nett Sales:**

<table>
<thead>
<tr>
<th>Amount Total</th>
<th>$41,989.08</th>
</tr>
</thead>
<tbody>
<tr>
<td>$13,462.24</td>
<td>$28,526.84</td>
</tr>
</tbody>
</table>
Whereby the nett sales amounted to twenty-eight thousand five hundred and twenty-six dollars eighty-four cents, which I pay over to William S. Shaw, Esq. clerk of the court within named, pursuant to the order contained therein, (and a future order of court,) to be disposed of as the court direct.

J. PRINCE,

Marshal.

A true Copy.

Attest,

JNO. W. DAVIS,

Clerk of Massachusetts District Court.

Boston, Feb. 9, 1814.