

5. That all and singular the premises herein are true.

Wherefore said master prays that this honorable court will be pleased to pronounce against the libel herein and that the same may be dismissed with costs to the claimants to be taxed.

W. CLARK AND D. A. DINGLEY, *Proctors for Claimant.*

United States District of Alaska, ss.

Hans Guttormsen, being first duly sworn, says he is master of the schooner "Thornton," that he has heard read the foregoing answer, and knows the contents thereof, and that the same is true of his own personal knowledge.

H. GUTTORMSEN.

Subscribed and sworn to before me this 22nd day of September, A.D. 1886.

ANDREW T. LEWIS,

Clerk of the United States District Court for the District of Alaska.

On the 4th day of October, 1886, the motion cited p. 54 was returned with the following indorsement:—

Sitka, District of Alaska, ss.

Be it remembered, that, in obedience to the annexed monition, I have attached the within-described property and now hold the same in my possession subject to the order of this honorable court;

And I have given due notice to all persons claiming said property to be and appear before this District Court on the 4th day of October, 1886, at 10 o'clock a.m., if the same shall be a day of jurisdiction, otherwise on the next day of jurisdiction thereafter, then and there to make their claims and allegations in that behalf:—

And I have caused said notice to be published, and the same has been published in the *Alaskan*, a newspaper published at Sitka in said district, on the 4th day of September, 1886, and in each issue of said newspaper subsequent thereto, until 4th day of October, 1886.

BARTON ATKINS, *Marshal, District of Alaska.*

SITKA, ALASKA, 4th October, 1886.

On the same day was filed the following decree:—

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE DISTRICT OF ALASKA,
UNITED STATES OF AMERICA.

United States vs. the Schooner "Thornton."—No. 50.

The marshal having returned on the monition issued to him in the above entitled action that, in obedience thereto, he has attached the said schooner "Thornton," her tackle, apparel, boats, cargo and furniture, and has given due notice to all persons claiming the same to appear before this court on this 4th day of October, 1886, at 10 o'clock, a.m., at the District of Alaska, United States of America, then and there to interpose their claims and make their allegations in that behalf; and Hans Guttormsen, the captain of said vessel having heretofore filed a claim to all of said property on behalf of J. D. Warren, of Victoria, British Columbia, the owner thereof, and no other person having appeared, and no claims or allegations having been made or filed herein by any other person or persons, and the usual proclamation having been made, and said cause having been heard upon the pleadings and proofs, M. D. Ball, Esq., and W. H. Payson, Esq., appearing as advocates for said libellant, and W. Clark as advocate for said claimant, and said cause having been submitted to the court for decision, and due deliberation being had in the premises, it is now ordered, sentenced and decreed as follows:—

1. That all persons whatsoever other than said claimant be, and they are, hereby declared in contumacy and default.