

That owing to scarcity of provisions and fuel upon the said cutter "Corwin," the said "Corwin" and deponent and said witnesses will be obliged to and are about to go to sea within five days, and out of the district in which the said case is to be tried, and to a greater distance than 100 miles from the place of trial of said action before the time of said trial.

That there is urgent necessity for taking the depositions of affiant and said witnesses forthwith.

That Hans Guttormsen was master, and in possession of said schooner "Thornton" at the time of seizure thereof.

C. A. ABBEY.

Subscribed and sworn to before me, this 6th day of September, 1886.

ANDREW T. LEWIS, *Clerk.*

On the same day was entered the following order :

In the Matter of the United States vs. Schooner "Thornton," Case No. 50; Schooner "Carolina," Case No. 51; Schooner "Onward," Case No. 49; Schooner "San Diego," Case No. 52.

In the above entitled actions urgent necessity and good cause appearing therefrom from the affidavits of C. A. Abbey, now on motion of M. D. Ball, United States District Attorney for Alaska, and counsel for the United States herein, it is ordered that the depositions of the witnesses C. A. Abbey, J. W. Howison, J. C. Cantwell, J. U. Rhodes, J. H. Douglas, C. T. Winslow, Albert Leaf, C. Wilhelm, Thomas Singleton, and T. Lorenson, be taken before the clerk of the said District Court on Tuesday, the 7th day of September, 1886, at 7 o'clock, p.m., or as soon thereafter as the matter can be reached at the office of said clerk at Sitka, Alaska; and if not completed on said evening, then the taking of said depositions to be continued by said clerk, from time to time, until completed. That notice of time and place of taking said depositions be served by the marshal of said district on Hans Guttormsen, James Blake, Daniel Munro, and Charles E. Raynor, and upon W. Clark, Esq., attorney-at-law, on or before the 7th of September at 12 a.m., and that such shall be due and sufficient and reasonable notice of the taking of said depositions.

Done in open court this 6th day of September, 1886, now at this time W. Clark, Esq., being present in court, waives service of notice.

On the 7th day of September, 1886, was filed the following notice and return:—

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

The United States of America vs. the Schooner "Thornton."

To Hans Guttormsen greeting: you are notified that by order of Lafayette Dawson, Judge of the said District Court, the depositions of C. A. Abbey, J. C. Cantwell, J. U. Rhodes, and J. H. Douglas will be taken before the clerk of the said District Court at his office in Sitka in said district on Tuesday, the 7th September, 1886, at 7 o'clock, p.m., or as soon thereafter as the matter can be reached, and if not completed on said evening, the taking of said depositions will be continued by said clerk from time to time until completed.

Dated the 7th September, 1886.

ANDREW T. LEWIS, *Clerk.*

United States of America, District of Alaska, ss.

This is to certify that on the 7th day of September, 1886, before 12 o'clock noon of that day, I served the annexed notice on the within-named Hans Guttormsen, at Sitka, District of Alaska, by then and there personally delivering to the said Hans Guttormsen, copy of said notice; and then and there gave him the privilege of being present at the taking of said depositions.

Dated the 9th of September, 1886.

BARTON ATKINS, *United States Marshal.*