

been effected, and Mr. *Griswold* charged with those probable proceeds, there was reason to believe that that part of the speculation had succeeded.

That though the respondent stated, that one principal reason for listening to the claimants proposals was, "the great loss of interest which would arise to the captors on the proceeds of the ship and cargo during the controversy of an appeal," yet that by the mode adopted no interest whatever would be made upon the proceeds for the benefit of the captors, as would have been the case had the method prescribed by the Act of Parliament been pursued, by placing the money upon public security, where the accumulating interest would have paid the expences of the cause.

And, upon the whole, that though these statements were immaterial to the points in question, yet that the facts appearing upon them rendered the principles laid down by the Court still more applicable to the case.

The Court however in fixing the time for payment consulted the wishes of the party himself, and, accordingly,

Decreed a peremptory monition to the respondent, to pay £.41,671 19 4, with interest, from six months after the sale, on or before the 10th day of May next.