

States of America, by virtue and in pursuance of the order of said court, made and entered in the above entitled action on 6th September, 1886, directing that the testimony and depositions of said witnesses be taken before me at said first mentioned time and place and at such subsequent time as the taking of the same might be continued to by me, in said action then and there pending in said District Court between the United States as plaintiff and the schooner "Carolina" as defendant, on behalf of and at the instance of the said plaintiff, the United States, and upon notice of the time and place of taking of said depositions, served upon James Blake, the mate of said schooner, he being the only officer of schooner upon whom service could be made, and upon W. Clark, Esq., his attorney, the owners of said schooner being unknown and without the jurisdiction of this court.

Capt. C. A. ABBEY, being duly sworn, deposes and says:—

Q. State your name and occupation? A. Captain C. A. Abbey, in the United States revenue marine service, at present in command of the United States revenue steamer "Corwin" on special duty in Alaskan waters, for the protection of the seal islands and of the Government interests in Alaska generally.

Q. What were you doing and what occurred on the 1st of August last in the line of your duty? A. Cruising in Behring Sea, about 75 miles south south-east from St. George's Island and I found the British schooner "Carolina," of Victoria, British Columbia, drifting with sails down. Her boats were absent and she was evidently a sealer. I saw dead seal lying upon her forward deck, inquired of the schooner in which direction her boats were.

I then ordered her to be seized by Lieut. Cantwell for killing fur seal in the waters of Alaska, took her in tow and proceeded to hunt up her boats, all four of which I found with freshly killed fur seal in them, arms, ammunition and hunters, some of whom I saw shooting at the seal in the water. These boats all went on board the "Carolina." On this evidence I caused the vessel to be seized by Lieut. Cantwell, I took her in tow and proceeded with her to Oonalaska where I placed the vessel, tackle, cargo, furniture and appurtenances in charge of Deputy United States Marshal Isaac Anderson, of Oonalaska; the cargo of fur seal skins being stored in "Keuch," in one of the warehouses of the Alaska Commercial Company and under seal. The arms and ammunition of this vessel I took on board the "Corwin" and brought to Sitka and delivered into the custody of the United States marshal there.

The vessel, tackle, furniture and cargo are now in the custody of the United States marshal of this district.

Q. Was this the vessel against which this libel of information is filed? A. It is.

Q. Did this all occur within the waters of Alaska and the Territory of Alaska and within the jurisdiction of this court? A. It did.

Q. Did this occur within the waters of the sea navigable for vessels of (10) ten tons burdens or over? A. It did.

C. A. ABBEY.

Subscribed and sworn to before me this 9th day }
of September, A.D. 1886, after having been }
read over by me to deponent.

ANDREW T. LEWIS, Clerk.

Lieut. JOHN C. CANTWELL, being duly sworn, deposes and says:—

Q. State your name, occupation and age? A. John C. Cantwell, 3rd lieutenant, United States revenue marine service, at present on duty on the United States revenue steamer "Corwin" and over the age of twenty-one years.

Q. Were you so on the 1st day of August last? A. I was.

Q. State what occurred on that day in the line of your duty? A. A schooner was sighted from the "Corwin" and I was directed by Capt. Abbey to board her. I found her to be the schooner "Carolina," of Victoria, British Columbia, James Ogilvie, captain, and James Blake, mate. I saw dead seal upon her deck and the captain admitted that he was engaged in taking seal and that four of the schooner's boats were at the time absent from the vessel engaged in killing seals. I signalled