

2. That the said schooner "Thornton," her tackle, apparel, boats, and furniture, and her cargo of 403 fur seal skins, and all other property found upon and appurtenant to said schooner, be, and are hereby condemned as forfeited to the use of the United States.

3. That unless an appeal be taken to this decree, within the time limited, and prescribed by law, and the rules of this court, the usual writ of *venditioni exponas* be issued to the marshal, commanding him to sell all of the said property and bring the proceeds into this court to be distributed according to law. Costs to be taxed are awarded against said claimant.

Dated October 4, 1886.

LAFAYETTE DAWSON, *District Judge.*

Done in open court, this 4th day of October, 1886, at Sitka, District of Alaska, United States of America.

, *Clerk.*

On the same day was filed the following motion to set aside Decree:—

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA.

*United States vs. J. D. Warren and Schooner "Thornton."*—*Motion to set aside Decree.*

Now come W. Clark and D. A. Dingley, proctors intervening for and in behalf of the claimants herein, and moves the court to set aside the decree rendered herein for the reason that the evidence produced on behalf of the United States is wholly insufficient upon which to base said decree.

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

Which motion was over-ruled by the court, and on the same day was filed the following notice of appeal:—

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA.

*United States vs. J. D. Warren and Schooner "Thornton."*—*Notice of Appeal.*

And now come W. Clark and D. A. Dingley, proctors for and in behalf of the claimant herein, and notifies this honourable court that they hereby appeal from the decree rendered herein to the Circuit Court having appellate jurisdiction over this district, and that said appeal is taken on questions of law and fact, and prays the court for an order on its clerk to prepare a complete transcript of the record herein, as the law requires.

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

On the 9th day of February, 1887, was entered the following order:—

*In the matter of the United States vs. Schooner "Onward," Case No. 49; Schooner "Thornton," Case No. 50; Schooner "Carolina," Case No. 51; Schooner "San Diego," Case No. 52; Arms and Ammunition Schooner "Sierra," No. 57; Arms and Ammunition Schooner "San Diego," No. 58.*

In the above causes, upon motion of the attorney for the United States and argument of counsel for the United States, and for the interveners in said causes, and consideration by the court, it is this day ordered that writs of *venditioni exponas* do issue from the clerk of said court to the marshal of said district, for the sale of the attached vessels, with their tackle, cargoes, and furniture, of whatever description, and of the arms and ammunition attached in said causes.

And as to the said attached vessels, that the sale of the same (except the schooner "San Diego," which shall be sold at Sitka) shall be made at Port Townsend, in the District of Washington Territory, and as to the seal skins, part of the cargoes of said vessels attached, that sale of the same shall be made at San Francisco, in the District of California, and that sale of said schooner "San Diego," and all the other attached property be made at Sitka, in the District of Alaska. Thirty days' notice of such sale