

JUDGMENTS RENDERED AGAINST THE GOVERNMENT BY THE
UNITED STATES DISTRICT COURTS IN SPECIAL CASES

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

PURSUANT TO LAW RECORDS OF JUDGMENTS RENDERED AGAINST
THE GOVERNMENT BY THE UNITED STATES DISTRICT COURTS
IN SPECIAL CASES, AS SUBMITTED BY THE ATTORNEY GENERAL
THROUGH THE SECRETARY OF THE TREASURY, AMOUNTING
TO \$31,751.73

MARCH 1, 1927.—Read; referred to the Committee on Appropriations and
ordered to be printed

THE WHITE HOUSE,
Washington, March 1, 1927.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration
of Congress, in accordance with the provisions contained in the
deficiency act of April 27, 1904 (33 Stat. 422), records of judgments
rendered against the Government by the United States district
courts in special cases, as submitted by the Attorney General through
the Secretary of the Treasury, as follows:

Under independent offices: United States Shipping Board.....	\$29, 251. 73
Under Navy Department.....	2, 500. 00
Total.....	31, 751. 73

The necessity for the appropriations asked is explained in the
letter of the Director of the Bureau of the Budget, transmitted
herewith, in whose conclusions and observations thereon I concur.

Respectfully,

CALVIN COOLIDGE.

BUREAU OF THE BUDGET,
Washington, March 1, 1927.

SIR: I have the honor to submit herewith for your consideration, in accordance with the provisions contained in the deficiency act of April 27, 1904 (33 Stat. 422), records of judgments rendered against the Government by United States district courts in special cases, as submitted by the Attorney General through the Secretary of the Treasury as follows:

Under independent offices:

United States Shipping Board—Litigation arose by the Government instituting a libel for damages sustained by the U. S. S. *Freedom*, and in same month the owners of steamship *Gloria* filed a cross libel against the Government, and under this cross libel decree was secured in the sum of \$29,251.73, together with interest thereon from date of decree until paid. \$29, 251. 73

Under the Navy Department:

Under the provisions of an act entitled "An act for the relief of Henry Peters," approved Feb. 21, 1923 (Private, Act No. 169, 67th Cong., 4th sess., 42 Stat., pt. 2, p. 1771), final decree rendered by United States District Court for the Eastern District of Louisiana (in Admiralty No. 17289), in favor of Henry Peters, amount of judgment \$2,500, no costs..... 2, 500. 00

For the payment of these judgments there is required an appropriation of \$31,751.73, together with such additional sum as may be necessary to pay interest as and where justified in such judgments; with the proviso that these judgments shall not be paid until the right of appeal shall have expired.

Since the foregoing are obligations of the Government lawfully imposed, and which (subject to the reserved right of appeal) must be paid, an appropriation therefor is necessary at this time.

Very respectfully,

H. M. LORD,
Director of the Bureau of the Budget.

The PRESIDENT.

UNITED STATES (U. S. S. "FREEDOM") v. NORRKOPINGS REDERIAKTIEBOLAG (STEAMSHIP "GLORIA")

DEPARTMENT OF JUSTICE,
Washington, D. C., March 1, 1927.

The SECRETARY OF THE TREASURY.

SIR: We are inclosing certified copy of final decree which has been entered in the southern district of New York in the above matter awarding the owners of the steamship *Gloria* the sum of \$29,251.73. We are also inclosing copy of letter, dated February 28, 1927, from the special assistant United States attorney, 45 Broadway, New York City, who actively handled this case, advising that it is in order to place in line for payment, but when payment is made a deduction for overpaid charter hire in the sum of \$12,254.65, with interest, should be made; the details of this offset being obtainable from the treasurer of the Fleet Corporation.

This litigation arose by the Government instituting a libel for damages sustained by the *Freedom*, and in the same month the owners of the *Freedom* filed a cross libel against the Government, and it is under the cross libel that they secured a decree in the sum

of \$29,251.73, which sum represents one-half of the amount by which its total damages with interest and costs exceeds the total damages with interests and costs of the United States. It is proper for the interest item to be included as computed in the final decree.

We are transmitting this decree to you with the request that it be included in a list of decrees to be certified to Congress at the current session for appropriation.

Respectfully,

GEORGE R. FARNUM,
Assistant Attorney General
(For the Attorney General).

STEAMSHIP "GLORIA"; U. S. S. "FREEDOM"

DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY'S OFFICE,
New York, February 28, 1927.

The ATTORNEY GENERAL.

SIR: Inclosed please find certified copy of final decree entered in the above-captioned cross libels. I also inclose a certificate of no appeal.

It is now in order to place this decree in line for payment, but when payment is made a deduction for overpaid charter line in the sum of \$12,254.65, with interest, should be made. The details of this offset may be obtained from the treasurer of the Fleet Corporation.

Respectfully,

H. M. GRAY,
Special Assistant United States Attorney.

Name: Norrkopings Rederiaktiebolag. No. 68-379.

Amount: \$29,251.73.

Costs: None.

Date of judgment: February 26, 1927.

Nature of claim: Damages due to collision between U. S. S. *Freedom* and steamship *Gloria* (United States Shipping Board).

Final decree: Ordered, adjudged, and decreed that the cross-libelant Norrkopings Rederiaktiebolag recover of and from the steamship *Freedom* and the United States of America and stipulators one-half of the amount by which its total damages, with interest and costs as aforesaid, exceeds the total damages with interest and costs as aforesaid of the libelant United States of America, to wit: One-half of the sum of \$58,503.47, which is \$29,251.73, together with interest thereon from the date of this decree until paid.

(United States District Court for the Southern District of New York.)

HENRY PETERS v. UNITED STATES (NAVY TUG "BARNETT")

DEPARTMENT OF JUSTICE,
Washington, D. C., February 26, 1927.

The SECRETARY OF THE TREASURY.

SIR: We are inclosing certified copy of final decree which has been entered in the eastern district of Louisiana in the above case awarding the libelant the sum of \$2,500. This suit was instituted under special act of Congress of February 21, 1923.

This litigation arose out of damages to libelant's derrick which had been hired by the Navy Department for the performance of certain work. While the derrick was being towed down the river by the Navy tug it struck a partially submerged obstruction, causing certain damages to the derrick for which libelant claimed the sum of \$11,296.18. After considerable negotiations, the libelant agreed to fix his damages in the sum of \$2,500. Upon the recommendation of the United States attorney the offer was accepted. Thereafter the matter was presented to the court for determination and a final decree was entered awarding libelant that sum.

We are transmitting this decree to you for the purpose of being placed in line for payment.

Respectfully,

GEORGE R. FARNUM,
Assistant Attorney General
(For the Attorney General).

Name: Henry Peters. (Admiralty No. 17289.)

Amount: \$2,500.

Costs: None.

Date of judgment: February 21, 1927.

Nature of claim: Damages to libelant's derrick boat *Pelican* while being towed by Navy tug *Barnett* (Navy).

Final decree: It is ordered, adjudged, and decreed by the court: That the libelant, Henry Peters, as owner of the derrick boat *Pelican*, do have and recover of the respondent, the United States of America, the full sum of \$2,500, each party to pay its own costs of court.

(United States District Court for the Eastern District of Louisiana.)

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