

John A. Mason
June 8th 1855

New York June 8. 1855

(Private)

This evening the case of Johnson
was brought before the District Court by
his counsel requesting that I should try the
case - I declined & was sustained by the Court
in my course - I hear that Kenney came
to this City from Boston to day with Fletcher
& Weston - I hear also that he left in a
sailing vessel for Jamaica two days since - His
baggage is still deposited at the Metropolitan
Hotel and remains with the cartages of the
apartment I hear to contain all an small
expense keeping cartages here - Judge Bell's
opinion of Kenney's several essays from the
ambled *

And before I went into bank I received
information that ~~the~~ ^{an} ~~action~~ ^{affidavit} should be made for
a clearance of the United States - The agent
was undoubtedly to get some claim for damages
against the collector or some other person should
it be required - It might be a trick to get us

into a false position - I also heard from very
 good authority that Graham the owner of the
 U.S. States, intended to try and cut off the U.S.
 if we attempt to stop him he used force
 or to fire his shots at his vessel other
 he would consider her abandoned her to the
 Government & make claim for damages -
 It appears to me that I should try and make these
 movements. I wrote to him a letter to
 Capt. Bowman directing him to send his
 two steamers from the East River where
 they are waiting the U.S. States, all their
 drop down into the lower Bay - I also reported
 him to send the cutter to cruise off
 Sandy Hook for three days - If the U.S. States
 should pop out that she should be
 boarded in circumstances, suited to
 authorize the execution of the President's
 order then to detain the vessel - I mean
 by this to say if she had a large number of
 men or other circumstances, ~~giving reason~~
 to suspect a violation of law then to
 proceed with the execution of the President's

Warrant. I have not been able to learn that any
number of men have arrived in this City - or that
they are going ~~any~~ board - If however they be found on
board in the Lower Bay the vessel ought to be
stopped - As you wish me a letter referring to
Capt Bowman's order to Hunter as being too
broad - & the closing paragraph might be understood
as a withdrawal of the President's order to
Capt Bowman ~~photographed~~ to you to know
if you intended to withdraw the order -
Up to 4. P.M. I have read and answered

After giving my directions to Capt
Bowman I went to the Custom House &
there found application made for a clearance
of the Albatross. There was some informality
in the papers which justified the Deputy
Collector in postponing the clearance for
the moment - Much to my surprise a
paper was presented showing that Graham
was no longer the owner but that George
Melroe was - Knowing this person to be a
gentleman of respectability I sent for him
he came to the Collector's room, and he told
me that he had advanced \$25,000 to Mr Graham
on the vessel - I submitted to his condition
Inso he could take the oath that he was the

True or the corner of the U.S. when in fact
she was only security to him - I thought to him
for the payment of \$25,000 - He admitted that I had
not thought of it would commit his counsel -
So the clearance for that day was avoided; He told
me that he did not think there were any papers
ready for the report but that Graham wished to
be in such a position that he could enforce his
charter party with Kenney & Co. - The question
is now shall she be cleared? If the report is
to get a claim against us. In that case we should
let her clear then let her be cleared under
the President's warrant if she have a body of
men on board - Then again if she be cleared
it will be very throughout the country that over
after all we have done against Kenney & his affairs
the agents of the government have let the report
go with regular papers - I am sure a state of
things. I will give advice as to the course to be
recommended to the collector - Will you telegraph
to me as soon as you can after the receipt of this.
Let what you wish is as to granting or refusing a
clearance - There is no time for delay - I have no doubt
that a few hours will bring matters to a crisis - I hope
that some of Kenney's friends with whom he has quarrelled
will disclose something important tomorrow - I wait patiently
but doubtfully.

Wm. C. Cushing

Frederick
Shurtliff