Navy Department
Houston 19 Oct. 1837

Sir.

Upon reference to the records of this Department, I find, that by a communication from Capt. Boylan, formerly Commander of the Viper, the said Schooner was in possession of D. M. Short, from the 16 January 1837. I also have ascertained from a report of the Hble S. Rhoads Fisher, to the President, of the date of the 14 May last ~~that~~ "the Sch. Viper has been surrendered, entirely, to the use of the Army"; and it also appears from the papers handed by you to this Department, this day, that they contain a claim against the Government for certain articles procured by Quarter Master Short, for the use of the Viper.

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I have submitted these facts to the Hble W. M. Shepherd, Acting Sec. of the Navy, who requests me to say, that he also considers the Sch. Viper as belonging solely to the Army, and in the Army's employ; and that the articles claimed procured by Q. Master Short, an officer of the Army, shews distinctly to which department those articles ought to be charged. He therefore concurs with you in the opinion, of the propriety of referring the

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