

SUPREME COURT OF THE UNITED STATES

United States v. Anderson

Anderson, 76 U.S. at 56 (1870) · Decided February 28, 1870

SUMMARY

The Supreme Court construed the Captured and Abandoned Property Act and related legislation governing claims by loyal owners for proceeds from property seized during the Civil War. The Court held that a loyal purchaser could recover despite purchasing from persons presumed disloyal, that the vendors were competent witnesses, and that the claim was timely when filed within two years after August 20, 1866, the date the rebellion was deemed suppressed for purposes of the statute. The judgment of the Court of Claims was affirmed.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice Davis
JURISDICTION	Federal
DECIDED	February 28, 1870
DISPOSITION	affirmed
PROCEDURAL POSTURE	The United States sought review of a Court of Claims judgment awarding Anderson the net proceeds of cotton seized and sold by the government under the Captured and Abandoned Property Act.
STANDARD OF REVIEW	De novo review of the Court of Claims' legal conclusions concerning statutory construction, witness competency, limitations, and the court's authority to enter judgment for a specific amount.
PRECEDENTIAL VALUE	Published United States Supreme Court opinion; precedential.
PARTIES	United States v. Anderson

TOPICS

- statutory interpretation
- legislative intent
- in pari materia
- evidence
- remedies

PRACTICE AREAS

- statutory interpretation
- civil procedure
- evidence
- remedies

QUESTIONS PRESENTED

1. Whether a loyal claimant under the Captured and Abandoned Property Act must prove that the persons from whom he purchased the property were also loyal.
2. Whether the claimant's vendors were incompetent witnesses under section 4 of the June 25, 1868, Act.
3. Whether Anderson's claim was barred by the Act's requirement that claims be filed within two years after suppression of the rebellion.
4. Whether the Court of Claims could enter judgment for a specific sum rather than merely determine entitlement to the proceeds.

HOLDINGS

1. A claimant seeking proceeds under the Captured and Abandoned Property Act need prove his own loyalty and ownership, but need not prove the loyalty of the vendors from whom he acquired the property in good faith for value.
2. The vendors were competent witnesses because they were not interested in the suit and Anderson did not derive his claim against the United States through them.
3. For claims protected by the Captured and Abandoned Property Act, the rebellion was deemed suppressed on August 20, 1866, the date of the President's proclamation declaring the insurrection at an end throughout the United States and the date adopted by Congress for related purposes.
4. The Court of Claims was authorized to enter judgment for the specific amount of proceeds proved to be due to the claimant.

KEY QUOTATIONS

"The two acts cannot be construed in pari materiâ. The one is penal, the other remedial; the one claims a right, the other concedes a privilege." (67)

"That day will, therefore, be accepted as the day when the rebellion was suppressed, as respects the rights intended to be secured by the Captured and Abandoned Property Act." (71)

"This court will not attribute to Congress a purpose that would lead to such a result, in the absence of an express declaration to that effect." (72)

FACTUAL BACKGROUND

Anderson, a loyal free man of color residing in Charleston, South Carolina, purchased cotton in good faith for value during the Civil War. After federal forces occupied Charleston, he reported the cotton to military authorities; it was transported to New York, sold for the United States, and the net proceeds of \$6,723 were paid into the Treasury. Anderson filed a claim under the Captured and Abandoned Property Act, and the loyalty of the vendors was not proven, although Anderson's own loyalty was established.

PROCEDURAL HISTORY

Anderson filed a claim in the Court of Claims for the proceeds of cotton he had purchased in South Carolina and that federal authorities later seized and sold. The Court of Claims rejected the government's limitation, title, witness-competency, and specific-judgment objections and entered judgment for Anderson in the amount proved. The Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *McKee v. United States*, 8 Wall. 163