



UNITED STATES CUSTOMS SERVICE

PORT OF NEW YORK.

W.H.

February 9, 1906.

Mrs. A.W. Tourgee,
2015 Kalorama Avenue,
Washington, D.C.

Madam:-

This Office is in receipt of your card of the 7th instant, further in relation to exemption from duty on certain chinaware which was ordered by your husband some five years prior to his death at Bordeaux, and which is now ready for delivery. You ask if free entry could be had as the personal effects of an American citizen dying abroad.

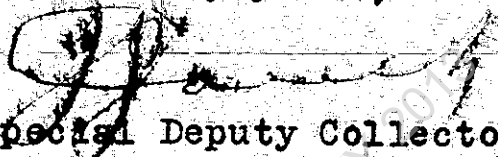
In reply I have to say that if this chinaware had been in the actual possession of your husband at the time of his decease, free entry could be granted as the personal effects of an American citizen dying abroad. Unfortunately, it appears that this chinaware has never been in your husband's possession, and therefore I am of the opinion that strictly speaking it could not be considered part of his effects at the time of his decease.

If this chinaware had been paid for at the time of your husband's death, it is possible that the law might be so construed as to place it in his constructive custody, and free entry

(2).

could be granted accordingly. However, I would not care to place any such construction on the law without instructions to that effect from the Treasury Department.

Respectfully yours,


Special Deputy Collector.

No enclosures.

CHAUTAUQUA COUNTY NY HISTORICAL SOCIETY

UNITED STATES CUSTOMS SERVICE,

PORT OF NEW YORK, N. Y.,

OFFICE OF THE COLLECTOR,

190

Collector.

SUBJECT:

No. of Inclosures