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Prize appeal case for the 'Flora', James Lovett (master), at the Vice-Admiralty Court of Jamaica, 1803

HCA 45/41/8

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122

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8. That when the said Ship left *New York*, she had on Board a Lading of Dry Goods, Crockery Ware, and other Articles, which were landed, and left at *Carthagena*, where she took in a Lading of Cotton, Fir, and Sticks, which was on Board her when captured.

9. That one *John Blagge*, a resident Merchant at *New York*, and an American Citizen by Birth, was the Sole Owner of the said Ship.

12, 13, 14, 15, and 16. Examinant saith, that he believes the aforesaid *Blagge* to have been Owner, but he doth not know the Lader or Consignee of the present Cargo, nor has he any Knowledge whatever of any of the Matters enquired after, but believes that there were not any Papers burnt, torn, thrown overboard, destroyed, cancelled, concealed, or attempted to be so.

29. The Ship was steering for *New York*, and her Course was not altered at the Time of, or previous to her Capture.

31. There were thirteen guns mounted, eight four long Pounders, two six Pounders, and four two Pounders, with Arms and Ammunition suitable to such Force; Examinant was informed she was so armed in order to protect herself against the French.

Evidence of
Papers
Blagge, a Pas-
senger.
Vol. 5, App.

To the first Interrogatory, Examinant saith, he was born in the State of *Connecticut*, in *America*; *New York* is his fixed Place of Residence, and he is a Citizen of the *United States*.

3. The Ship was captured on the 21st of *June* last, in the *Gulph of Florida*; doth not know on what Pretence; she was taken to *Providence*, for the Purpose of procuring Provisions, and from thence she was carried into *Port Royal*; she sailed under American Colours, and had no others on Board; made no Resistance, when captured by his Majesty's Ships *Terk* and *Maidstone*, in Sight of his Majesty's Sloop of War *Lark*, as Examinant believes.

4. That one *James Lovett* was Master of the said Ship; believes he was appointed to such Command by one *John Blagge*, Merchant, at *New York*; the Master is an American Citizen by Birth; he took Possession of the Ship at *New York*.

9. That the aforesaid *John Blagge* is the Owner of the said Ship; that he is a resident Merchant at *New York*, and a Citizen and Subject of the *United States*.

12. That the aforesaid Master was the Lader of the Cargo, and the Same was consigned to the said *John Blagge*, the Owner, at *New York*.

20. In Case the Ship had arrived at *New York*, the Cargo would have remained the Property of the aforesaid Owner, and there disposed of by him.

26. Examinant was the only Passenger on Board, and he embarked for the Benefit of his Health.

29. The Ship was steering her true Course for *New York*, when first pursued, and the Same was not altered.

30. The Ship had fourteen Guns, with Arms and Ammunition suitable to that Force; and she was so armed, in Order to protect herself against the French.

SHIP'S PAPERS.

Fol. 6, App. Letter of Instructions from *John Blagge* to the Master, dated *New York*, 18th of *April*, 1799, in which is the following Paragraph: "Herewith you have Invoice of the Cargo of the Ship *Flora*, under your Command, amounting to £11,949 5s. to your Consignment: I must enjoin you to make the best of your Way for *La Guira*, and there dispose of your Cargo to the best Advantage: if, on your Arrival there, the State of the Market should not enable you to make good and speedy Sales, you will proceed to any other Port on the *Spanish Main*, and try the best for expending your Cargo; and even should you judge fit, to begin with any other Port on the *Spanish Main*, that you expect or know to be open to foreign Trade."

Fol. 7, App. Letter of Attorney from *John Blagge*, the Owner, to Captain *Lovett*, authorizing him to receive Debts at *Carthagena*. Dated 17th *April*, 1799.

Ditto Bill of Lading for Return Cargo, expressed to be shipped by Captain *Lovett*, for Account and Risk of *John Blagge*, Merchant of *New York*, and deliverable to him there, paying no Freight, Owner's Property. Dated at *Carthagena*, *June* 7, 1799. Invoice

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