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Prize appeal case for the ship 'Frederick', John Frederick Simon Meyer (master), at the Vice-Admiralty Court of Antigua, 1817

HCA 45/70/22

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ACKNOWLEDGEMENT

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Before the Most Noble and Right Honourable
the Lords Commissioners of Appeals in
Prize Causes.

The FREDERICK,
I. F. S. MEYER, Master.

The said I. F. S. Meyer, the Master, and Amasa Thayer, Claimants of }
the said Ship and Cargo, as the Property of Charles Amburger, of } Appellant,
Archangel, Merchant, a Subject of the Emperor of Russia - - - }

Charles Tottie, of London, Merchant, Consul in Great Britain for his }
Majesty the King of Sweden, Claimant of the said Ship and Cargo, as } Intervener,
having been taken and seized within the Territory of his said Majesty the }
King of Sweden, contrary to and in violation of the Laws of Nations, }
and the Territory and Jurisdiction of his Swedish Majesty - - - }

AGAINST

Robert Wilson, Commander of the Private Ship of War Matchless, the } Respondent.
Captor of the said Ship and Cargo - - - - - }

On an Appeal from the Vice Admiralty Court
at Antigua.

On the 20th of May, 1816, this Cause came on for Hearing, when the following
Decree was made therein :

The Lords having heard further Informations by Counsel on both sides, by their Interlocutory Decree, pronounced for the Appeal, reversed the Sentence of the Court below, and retained the principal Cause, therein admitted the Claim given by the Master for the Ship and Cargo, and also the Claim given in this Court by Charles Tottie Esq. but directed Further Proof to be exhibited, as well of the Place of Capture as of the Property of the Ship and Cargo, both Parties being at liberty to bring in Proof as to the Place of Capture.

In pursuance of the foregoing Decree, the following Further Proofs have been brought in.

FURTHER PROOFS,
On behalf of the Appellant and Intervener.

Island of Saint Bartholomew.

Affidavit of
John Philip
Schuck.

Know all Men by these Presents, that on this second day of the present month of December, in the year of our Lord 1813, before me, Paul Ollongren, Justiciary in and for the Island aforesaid, personally appeared John Philip Schuck, a resident burgher of this island, who on his solemn oath taken before me according to law, deposed and saith, that on the first day of August last past in the forenoon, at about eleven o'clock, he the said Deponent observed from his dwelling house, situated on the eminence of the western side of this town of Gustavia, the Privateer Schooner Matchless of Antigua steering such a course as induced him the Deponent to suppose that some
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