

The Diana

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Court : US Supreme Court

Decided On : 1818

Appeal No. : 16 U.S. 58

Appellant : The Diana

Judgement :

The Diana - 16 U.S. 58 (1818)

U.S. Supreme Court The Diana, 16 U.S. 3 Wheat. 58 58 (1818)

The Diana

16 U.S. (3 Wheat.) 58

APPEAL FROM THE CIRCUIT

COURT OF SOUTH CAROLINA

SYLLABUS

Decree in an instance cause affirmed with damages at the rate of six percentum per annum on the amount of the appraised value of the cargo, the same having been delivered to the claimant on bail, including interest from the date of the decree of condemnation in the district court.

This was an information under the nonimportation laws against the ship *Diana* and cargo. Condemnation was pronounced in the district and circuit courts, and the cause was brought by appeal to this Court. At the last term, on the hearing, it was ordered to further proof, and the further proof not being satisfactory, the decree of the court below was affirmed at the present term.

Mr. Berrian, for the United States, inquired whether the damages should be computed from the date of the bond given for the appraised value of the cargo, or from the decree of the district court.

The Court was of opinion that the damages should be computed at the rate of six percentum on the amount of the appraised value of the cargo, including interest from the date of the decree of condemnation in the district court.

Decree affirmed.