

**Chace Vs. Vasquez**

**Chace Vs. Vasquez**

**SooperKanoon Citation :** [sooperkanoon.com/79075](http://sooperkanoon.com/79075)

**Court :** US Supreme Court

**Decided On :** 1826

**Appeal No. :** 24 U.S. 429

**Appellant :** Chace

**Respondent :** Vasquez

**Judgement :**

Chace v. Vasquez - 24 U.S. 429 (1826)

U.S. Supreme Court Chace v. Vasquez, 24 U.S. 11 Wheat. 11 Wheat. 429 429 (1826)

**Chace v. Vasquez**

**24 U.S. (11 Wheat.) (11 Wheat.) 429**

*APPEAL FROM THE CIRCUIT*

*COURT OF MARYLAND*

## **SYLLABUS**

On a libel *in personam* for damages, if the court decrees that damages be recovered and that commissioners be appointed to ascertain the amount thereof,

no appeal will lie from such a decree until the commissioners have made their report, this not being a final decree.

The libel in this case was *in personam* against the owners of the private armed vessel *La Fortuna*, stated to be owned by American citizens, for the recovery of damages for the illegal seizure, &c.;, of the Portuguese ship *Monte Alegre* and cargo, which, by a previous decree of the court, had been restored to the libellants, no damages having been claimed in the libel *in rem*. A decree *pro forma* was taken for the libellants in the circuit court and commissioners were ordered to be appointed to assess the damages, but the appeal was taken before the commissioners were appointed, upon the ground that no libel could be sustained *in personam* in such cases.

Page 24 U. S. 430

The Court was of opinion that the case was embraced by the principle decided in the case of *The Palmyra*, since an appeal would still lie from the damages when ascertained, but that had the decree of the circuit court dismissed the libel, such decree would have been final.

*Appeal dismissed.*

**SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com**