

Cases of Historical Interest In the Southern District of New York

The Catharine

Judge James Duane

Prize cases originated from the wars between France and Britain in the 1790s. Under the First Judiciary Act, all the powers of a court of admiralty “both in instance and in prize” were vested in the District Court. A French frigate captured *The Catharine*, a British brigantine off the coast of New Jersey, and sent it to the port of New York as a prize. Judge Duane held that the seizure took place in American neutral waters and therefore it was not a fair prize. The British owners had the right to claim their property.

J. Morris, Federal Justice in the Second Circuit 16-18 (1987)



225th Anniversary
1789-2014