

Case No. 3,917.  
[2 Gall. 306.]<sup>3</sup>

THE DIMON.

Circuit Court, D. Massachusetts.

Oct. Term, 1814.

PRIZE—PLEADING.

A general prize allegation cannot be properly joined with an information on a seizure for the violation of a statute.

The information in this case alleged: 1. That at some port or place unknown, in some one of the colonies or dependencies of Great Britain, goods, &c. of the growth, produce, or manufacture of Great Britain, were laden on board with intent to import the same into the United States, and that the same were accordingly imported. 2. That the ship, being owned by citizens of the United States, sailed under a British license or pass. 3. The third count charged a trading with the I enemy, and concluded with a prize allegation.

STORY, Circuit Justice. It is improper to join a general prize allegation with an information for the infringement of a statute, the proceedings being very different in their nature.

<sup>3</sup> [Reported by John Gallison, Esq.]