

MURGATROYD v. MCLURE.

[4 Dall. 342.]

Circuit Court, D. Pennsylvania. April Term, 1800.

PRIZE—CONDEMNATION—IN FOREIGN
COURT—REPLEVIN.

Replevin, for the ship Mt. Vernon. The defendant claimed property, under a capture and condemnation as prize; in the French court of prizes, established at the city of St. Domingo, in the island of St. Domingo, under the circumstances stated in the reports of the trials, relative to the same ship. *Murgatroyd v. Crawford*, 3 Dall. [3 U. S.] 491; *Duncanson v. McLure*, 4 Dall. [4 U. S.] 308.

CHASE, Circuit Justice, declared, that the whole transaction, between Murgatroyd and Duncanson, was a mere cover, to evade the laws of the United States; that the former was a mere trustee for the latter; and that, having been paid the full price for the ship, he had no property, on which the replevin could be maintained.

The plaintiff suffered a non-suit.

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