

## THE PRINCE LEOPOLD.

{Blatchf. Pr. Cas. 647.}<sup>1</sup>

Circuit Court, S. D. New York. July 17, 1863.<sup>2</sup>

## PRIZE—ENEMY PROPERTY.

Decree of the district court, condemning vessel and cargo as enemy property, and acquitting them on the charge of violating the blockade, affirmed.

{Appeal from the district court of the United States for the Southern district of New York.}

In admiralty.

NELSON, Circuit Justice. This vessel was captured in the port of New York, on the 21st of August, 1861, by government officers. She was laden at the port of Newbern, North Carolina, with spirits of turpentine, and left that port on the 23d of July, 1861. There was no actual blockade of Newbern at the time. The vessel belongs to H. A. McLeod, a British subject, but resident in Charleston, South Carolina, at the time of capture, and the cargo to A. Wade, a resident of Newbern, and a citizen of North Carolina. The vessel and cargo were condemned as enemy property in the court below {Case No. 11,428}, and acquitted on the charge of breaking the blockade. Upon the doctrine of the cases recently decided in the supreme court of the United States, the decree must be affirmed.

<sup>1</sup> {Reported by Samuel Blatchford, Esq.}

<sup>2</sup> {Affirming Case No. 11,428.}