

## UNITED STATES v. BURCH.

{1 Cranch, C. C. 36.}<sup>1</sup>

Circuit Court, District of Columbia. July Term, 1801.

INTERNAL REVENUE—SELLING LIQUOR WITHOUT  
LICENSE—INDICTMENT—SALE BY WIFE.

The day laid in an indictment for selling whiskey is not material. Selling by the wife, with the knowledge and assent of the husband, is the selling of the husband.

Indictment for retailing whiskey without license.

THE COURT was of opinion that the day is not material if the fact be proved to be committed before the indictment found. That the selling by the wife, with the knowledge and assent of the husband, is the selling of the husband.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]

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