

Case No. 15,773. UNITED STATES V. MILLER.
[4 Cranch, C. C. 104.]¹

Circuit Court, District of Columbia.

Dec Term, 1830.

GAMING—KEEPER OF HOUSE—EVIDENCE.

1. Evidence of the declaration of another person, that he was the guilty person, cannot be given.
2. Evidence that the defendant dealt the cards, at faro, is prima, facie evidence that he kept the house.

Indictment [against Henry Miller] for a nuisance in keeping a public gaming-house.

Mr. Coxe and Mr. Dandridge, for defendant, offered evidence of the declaration of another person, that he was the keeper of the house and gaming-table.

The United States attorney objected, and THE COURT refused to receive the evidence.

THE COURT, also, (CRANCH, Chief Judge, absent) instructed the jury that dealing the cards, as keeper of the faro-table, was prima facie evidence that such dealer was the keeper of the house.

¹ [Reported by Hon. William Cranch, Chief Judge.]