

Case No. 16,042. UNITED STATES V. PICKERING.
[2 Cranch, C. C. 117.]¹

Circuit Court, District of Columbia.

April Term, 1816.

SLAVERY.

An indictment will not lie against a person for dealing with a slave without his master's consent, the statute having provided a different mode of prosecution.

This was an indictment for dealing with a slave without the consent of his master, contrary to the act of Virginia of 17th December, 1792, (page 188, § 16).

E. J. Lee, for the United States.

Mr. Taylor, for defendant.

THE COURT (THRUSTON, Circuit Judge, absent) decided, upon the authority of *U. S. v. Simms*, 1 Cranch [5 U. S.] 252, that an indictment will not lie; the statute having directed the prosecution to be by action on the case by the master for fourfold the value of the article bought or sold, and a penalty of \$20 to be recovered by any person who will sue for the same, &c.

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