

Case No. 16,253b  
UNITED STATES V. SEVEN HUNDRED AND THREE CASKS OF RICE.  
[N Y. Times, Sept. 20, 1862.]

District Court, S. D. New York.

Sept 16, 1862.

PRIZE—JURISDICTION—CAPTURES ON LAND.

- [1. The practice of the federal courts in admiralty is governed by the rules of admiralty law found in the English reports.]
- [2. Prize jurisdiction does not depend on the locality of the seizure, but on the subject-matter. A capture by naval, as distinguished from land, forces, of property stored in a warehouse near the shore of a harbor, is a subject of prize jurisdiction, and the property may be condemned as prize.]

Prize. Certain rice was stored in a warehouse close by the river, which communicated with Charleston harbor, and was captured by the launches of the *Albatross* and her consort.

HELD BY THE COURT (BETTS, District Judge): That the practice of the United States courts is governed by the rules of admiralty law disclosed in the English reports. That in England the prize jurisdiction does not depend upon locality, but on the subject-matter. It is said by Sir Wm. Scott in *The Rebeckah*, 1 C. Bob. Adm. 227, that “a maritime capture effected by naval persons using a force subject to their use, distinguished from an ordinary land force subject to military persons, was a maritime prize.”

Decree, therefore, condemning this property as lawful prize.