

**Case No. 16,285.** UNITED STATES v. SHUCK.  
[1 Cranch, C. C. 56.]<sup>1</sup>

Circuit Court, District of Columbia.

Jan. Term, 1802.

AMENDMENT OF INFORMATIONS—SERVANT SELLING-LIQUOR.

1. An information may be amended.
2. A servant selling spirituous liquors for his master is not personally liable for the penalty.

[Cited in U. S. v. Paxton, Case No. 16,013; U. S. v. Voss, Id. 16,628.]

Information for selling spirituous liquors, permitted to be amended, by inserting the date of the offence, and also the words “sold and to be drank at the circus, instead of at his own house.” On the trial, the defendant attempted to prove that he acted as servant or agent of another person.

THE COURT instructed the jury that if they should be of opinion, from the evidence, that the defendant acted as the servant of another person, and had no part of the profits, it was not to be considered as his selling, but that of his master.

See U. S. v. Paxton [Case No. 16,013], and U. S. v. Voss [Id 16,628].

<sup>1</sup> [Reported by Hon. John McLean, Circuit Justice.]