

**Moodie Vs. the Alfred**

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**SooperKanoon Citation :** [sooperkanoon.com/78147](http://sooperkanoon.com/78147)

**Court :** US Supreme Court

**Decided On :** 1796

**Appeal No. :** 3 U.S. 307

**Appellant :** Moodie

**Respondent :** The Alfred

**Judgement :**

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**3 U.S. (3 Dall.) 307**

## **SYLLABUS**

Where a vessel had been built in New York for the purposes of employing her in a war with England had war broken out, and was afterwards sold to a French citizen, who used her as a privateer, the Court refused to hear counsel against the allegation that this was an original construction or outfit of a vessel for the purposes of war.

The allegation in this case, as supported by the evidence, was that the privateer which took the British prize in question had been built in New York with the express view of being employed as a privateer in case the then existing controversy between Great Britain and the United States should terminate in war; that some of her equipments were calculated for war, though they were also frequently used by merchant ships; that the privateer was sent to Charleston, where she was sold to a French citizen; that she was carried by him to a French island, where she was completely armed and equipped and furnished with a commission; and that she afterwards failed on a cruise, during which the prize was taken and sent into Charleston.

Reed, for the plaintiff in error, contended that this was an original construction or outfit of a vessel for the purpose of war, and that if it was tolerated as legal, it would be easy by collusion to subvert the neutrality of the United States and involve the country in a war.

The Court, however, without hearing the opposite Counsel, directed

*The Decree to be affirmed.*