

Case No. 1,147. BAYSAND V. LOVERING ET AL.
[1 Cranch, C. C. 206.]¹

Circuit Court, District of Columbia.

Dec. Term, 1804.

EXECUTOR DE SON TORT—LIABILITY.

An executor, de son tort, is liable for the value of the goods taken and used.

At law. Assumpsit on bill of exchange, [against Lovering and wife as executrix de son tort of Andrew White.] Pleas never executrix, non assumpsit, and limitations.

Morsell, for plaintiff.

Mason, for defendant,

THE COURT instructed the jury that if they should be of opinion that the defendant took the goods of the deceased and used them as her own, and not for safe keeping, she is chargeable as executrix in her own wrong to the amount of the goods so used.

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