

Case No. 1,206.

BECK v. JONES.

[1 Cranch, C. C. 347.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1806.

PRACTICE—WRIT OF INQUIRY—CONTINUANCE.

If a writ of inquiry be set aside at the trial term, the plaintiff is entitled to a continuance of the cause, until the next term at the defendant's costs.

Writ of inquiry set aside, and not guilty pleaded at the present term, when the cause was first called for trial. The cause was then postponed without either party having offered ready for trial; when called again for trial, Mr. Jones, for the plaintiff, insisted on a continuance. Mr. Swann, for the defendant, contended that the plaintiff ought to pay the costs of the postponement.

But THE COURT directed the cause to be continued at the costs of the defendant; he being in default until the present term.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]