

Case No. 1,310. BENNET ET AL. V. ALEXANDER.
[1 Cranch, C. C. 90.]¹

Circuit Court, District of Columbia.

April Term, 1802.

BANKRUPTCY—DISCHARGE OF BANKRUPT—EFFECT ON BAIL.

A discharge of the principal under a commission of bankruptcy issued after the return of the sci. fa. against the bail is no discharge of the bail.

At law. Scire facias, returnable October 18th, 1801.

Mr. Youngs, for the defendant, after pleading “payment,” and “no such record,” moved for leave to plead the discharge of Charles Love, the principal, under the bankrupt law. The discharge was dated in December, 1801. The commission of bankruptcy issued October 20th, 1801.

But THE COURT refused to admit the plea, being of opinion it was no bar.

¹ [Reported by Hon. William cranch chief Judge.]