

Case No. 1,426.

BIRCH v. GITTINGS.

[2 Cranch, C. C. 66.]<sup>1</sup>

Circuit Court, District of Columbia.

Dec. Term, 1812.

REPLEVIN—PRACTICE.

If A. replevies from B., who had replevied from A., the court will quash the 2d replevin, and, upon a motion made for a return of the property in the first replevin, will order it to remain with the person who appears to have the right of possession, according to the Maryland law of 1785, c.80, § 14.

Birch replevied from Gittings, and Gittings from Birch.

THE COURT quashed the 2d replevin and ordered the possession to remain with Gittings, he having the right of possession when Birch replevied. See Maryland Law 1785, c.:80, § 14.

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