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Case No. 2,343.

CAMILLOZ v. JOHNS.

[1 Cranch, C. C. 38.]¹

Circuit Court, District of Columbia.

Oct. Term, 1801

PREMATURE ATTACHMENT.

An attachment, issued upon a return of non est, before the appearance day, will be quashed.

Motion to quash an attachment. The plaintiff had taken out a capias, returnable to this term,—the return day of this term being the day after the rising of the court. The writ had been returned during the sitting of the court, non est, and the present attachment issued.

THE COURT ordered the attachment to be quashed, it having issued too soon.

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

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