

Case No. 2,527.

CAUSIN v. CHUBB.

[1 Cranch, C. C. 267.]¹

Circuit Court, District of Columbia.

Dec. Term, 1805.

MARSHAL'S FEES ON CA. SA.

If the plaintiff has received the debt and costs the marshal cannot detain the defendant upon a ca. sa. for the poundage.

Ca. sa. returned cepi. The marshal brought in the defendant. The plaintiff admitted he had been paid the full amount of debt and costs. The plaintiff did not call upon the marshal to bring in the body; nor, upon the marshal bringing him in and offering him to

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the plaintiff, did he pray him in commitment.

THE COURT decided that the marshal had no right to hold the defendant upon the ca. sa. for the poundage, it being no part of the judgment. See Acts Md. 1779, c. 25, §§ 4, 5; Acts 1790, c. 59, § 2.

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