

Case No. 3,601.

DAVIDSON v. BROWN.

[1 Cranch, C. C. 250.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1805.

ACTION ON BOND PAYABLE IN INSTALLMENTS—VERDICT.

In an action upon a bond conditioned to pay money by installments, if the verdict be rendered before all the installments are due, the jury must find how much is due upon each installment and when payable, as well those to become payable as those already payable.

Debt on bond, conditioned to pay \$460, on 1st January, 1804; \$460, on 1st January, 1805; \$460, on 1st January, 1806; and \$460, on 1st January, 1807. The writ issued in June, 1804. The trial was in August, 1805. Plea, payment, and issue. See the act of assembly of Maryland, 1785, c. 80, § 13.

Mr. Morsell, for plaintiff.

Mr. Key, for defendant

THE COURT directed the jury that if no payment was proved they ought to find the

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issue for the plaintiff, and also find what amount of principal and interest is now due and payable, and what further sum will become payable, and when.

The judgment was entered as follows: Judgment on the verdict, for the penalty and costs, to be released on the payment of \$1187,32, with interest thereon from this date till paid. And on the payment of \$520,80, with interest thereon from the 1st day of January, 1806, till paid, with liberty to take out execution therefor after that day. And on the payment of \$476, with interest thereon from the 1st day of January, 1807, till paid, with liberty to take out execution therefor after that day.

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