

Case No. 3,641.

DAVIS ET AL. V. MARSHALL.

[1 Cranch, C. C. 173.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1804.

SPECIAL, BAIL—WHEN REQUIRED.

A defendant, discharged under the insolvent law of Pennsylvania, may appear here and discharge an attachment without giving special bail.

Attachment of goods under the act of assembly, 1795, c. 56.

Mr. Mason, for the defendant, moved to appear without bail, so as to discharge the attachment. The debt was contracted in Maryland. The defendant removed to Pennsylvania, where his creditors arrested him, and he was released under the insolvent law of Pennsylvania. The plaintiffs sued in the general court of Maryland. On producing the discharge, the general court admitted an appearance without bail; and the plaintiffs struck off the suit there, and laid this attachment in the District of Columbia.

Mr. Morsell, for the plaintiffs, objected: 1st That the act is not in force in this district  
2d. That the defendant cannot dissolve the attachment without giving bail.

THE COURT permitted defendant to appear on filing common bail.

CRANCH, Circuit Judge, did not sit in this case.

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