

Case No. 4,049. DOWSON ET AL. V. PACKARD.  
[3 Cranch, C. C. 66.]<sup>1</sup>

Circuit Court, District of Columbia.

Dec. Term, 1826.

PRACTICE IN EQUITY—ATTACHMENT—WHEN RETURNABLE.

An attachment, issued by order of the court, under the 10th rule of practice prescribed by the supreme court of the United States for the circuit courts, against a defendant in equity for not answering the bill, must not be made returnable to the clerk at the rules, but may be issued by the court, returnable immediately to the court.

The defendant Packard was brought in upon an attachment, for not answering the bill. This attachment was issued by order of the court at this term, on the 10th of January, 1827, and made returnable by the clerk before himself at the rules on the first Monday in April next.

Mr. Jones, for defendant moved to quash the attachment; or to discharge the defendant without answer, upon merely entering his appearance.

THE COURT (nem. con.) quashed the attachment because it was made returnable at the rules.

Mr. Redin, then moved the court for an attachment to bring in the defendant to answer the interrogatories contained in the bill; not having filed any other interrogatories.

THE COURT (nem. con.) granted the attachment for not answering the bill generally

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