

Case No. 4,469.

EMMERSON V. BEALE.

{2 Cranch, C. C. 349.}<sup>2</sup>

Circuit Court, District of Columbia.

Oct. Term, 1822.

COSTS—PROCEEDINGS ON JUDGMENT FOR COSTS AFTER DEFENDANT'S DISCHARGE UNDER THE INSOLVENT LAWS.

1. Costs must share the fate of the principal debt.
2. A debtor whose person is discharged under the insolvent act of the District of Columbia [2 Stat. 237], as to the debt, is, not liable to a ca. sa. for costs, on a judgment for costs, confessed after his discharge in an action pending at the time of his discharge.

Motion to quash a ca. sa. issued against the defendant for costs on a judgment confessed for costs, after his discharge under the insolvent act of this district, in an action pending at the time of his discharge.

THE COURT (nem. con.) said that the costs must share the fate of the principal debt; and ordered the ca. sa. to be quashed.

<sup>2</sup> [Reported by Hon. William Cranch, Chief Judge.]