

Case No. 5,232.

GARDNER v. LINDO.

{1 Cranch, C. C. 592.}¹

Circuit Court, District of Columbia.

Dec. Term, 1809.

BAIL.

Mr. Law, for defendant, moved to appear without bail on the ground that a suit had been before brought upon the same cause of action, appearing upon affidavit, which suit had been decided by the supreme court of the United States in his favor, but not on the merits.

THE COURT (FITZHUGH, Circuit Judge, absent) overruled the motion.

{See Cases Nos. 5,231 and 5,616.}

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