

Case No. 5,499.

GODY v. PLANT.

[4 Cranch, C. C. 670.]¹

Circuit Court, District of Columbia.

March Term, 1836.

JUSTICE OF THE PEACE—AUTHORITY TO BIND ORPHAN CHILD.

Justices of the peace have no authority to bind out an orphan child while the orphans' court is in session.

Upon petition of Thomas Gody to be discharged from the service of James K. Plant, who claimed the petitioner as his apprentice, it appearing that he was bound out by two justices of the peace, as an orphan, upon a day in which the orphans' court was in session.

THE COURT discharged the apprentice, being of opinion that under the Maryland Acts 1793, c. 45, and 1794, c. 47, the justices had no power to bind out an orphan while the orphans' court was in session.

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