

Case No. 5,758.

GREEN ET AL. V. FRY.

[1 Cranch, C. C. 137.]¹

Circuit Court, District of Columbia.

July Term, 1803.

ACTIONS ON JUDGMENTS—JUSTICE OF THE PEACE.

Indebitatus assumpsit lies upon the judgment of a justice of the peace.

Assumpsit [by Green & English] for the amount of two judgments given by a justice of the peace in May, 1801.

A. B. Woodward offered the warrants and judgments in evidence.

Mr. Baker, for defendant, objected that the action ought to be debt; and that the judgments are not evidence in assumpsit.

Mr. Woodward, in reply. The judgments are not matter of record, and are good consideration for assumpsit.

At December term, 1803, judgment was rendered for the plaintiff. KILTY, Chief Judge, doubting. FITZHUGH, Circuit Judge, contra. CRANCH, Circuit Judge, clearly for the plaintiff.

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