

Case No. 5,893.

HADEN v. PERRY.

[1 Cranch, C. C. 285.]¹

Circuit Court, District of Columbia.

March Term, 1806.

CONFESSION OF JUDGMENT—RETURN OF WRIT.

Judgment cannot be confessed before the return term of the writ.

The defendant was arrested on a writ returnable to the next term.

Mr. Taylor, for defendant, moved for a habeas corpus, to bring up the defendant to confess judgment at this term, and cited the act of assembly of Virginia of 19th December, 1792 (page 113, § 43), that a confession of judgment is equal to a release of errors.

But THE COURT overruled the motion. See *McNeil v. Cannon* [Case No. 8,913], June term, 1803, and *Smith v. McCue* or *Askew v. Smith* [Id. 588], March adjourned term, 1804.

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