

Case No. 6,108. HARRINGTON v. MCDUEL.
[3 Cranch, C. C. 355.]¹

Circuit Court, District of Columbia.

Dec. Term, 1828.

ASSAULT AND BATTERY—LEVY BY CONSTABLE.

The plaintiff has a right to enter the defendant's house with the constable, who has a fi. fa., to show the defendant's property, upon which to levy the execution.

Mr. Hellen, for defendant, prayed the court to instruct the jury that the plaintiff had no right to enter the defendant's house with the constable, to show him the defendant's property, upon which to levy the fieri facias upon a judgment in favor of the plaintiff against the defendant.

Beale & Ashton, for plaintiff.

But THE COURT (nem. con.) refused.

¹ [Reported by Hon. William cranch, chief judge.]