

Case No. 6,136.

HARRISON v. GALES.

{3 Cranch, C. C. 376.}¹

Circuit Court, District of Columbia.

Dec. Term, 1828.

INSOLVENCY—DISCHARGE—LAW OF ALABAMA.

Discharge under the insolvent law of Alabama. Exoneretur.

[Cited in *Brook v. Brown*, Case No. 1,931.]

Mr. Bradley, moved to discharge the bail [Gales], the debtor having been discharged both by the law of Alabama, and by that of this district Mr. Bradley produced a certified copy of the law of Alabama, and of the proceedings under it.

The plaintiff was a citizen of Alabama, and obtained judgment here against Russell, but Russell was not in confinement upon that judgment when discharged under the insolvent law of this district.

Mr. Wallach, for defendant, contended, that by bringing suit here the plaintiff was to be considered as pro had vice residing in this district, so that the discharge operated against him, although the defendant was not in confinement at his instance at the time of the discharge; and referred to the case of *Ogden v. Saunders*, 12 Wheat [25 U. S.] 213.

Upon this point, however, THE COURT gave no opinion; being satisfied as to the discharge under the law of Alabama.

Bail exonerated, (THURSTON, Circuit Judge, absent)

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