

Case No. 6,509.

HILTON v. BECK.

[4 Cranch, C. C. 107.]<sup>1</sup>

Circuit Court, District of Columbia.

Dec. Term, 1830.

REPLEVIN—COMPETENCY OF WITNESS—CONSTABLE.

In replevin, the defendant, (a constable who had seized the goods of the plaintiff in execution as the goods of Harrington,) was permitted to testify for himself, upon being indemnified by the plaintiff in the execution.

Replevin, for goods of the plaintiff [Samuel Hilton], taken by the defendant, a constable, as the goods of one Harrington, upon a fieri facias against him.

Mr. Wallach, for plaintiff.

Mr. Coxe, for defendant.

The defendant [Joseph W.] Beck, was permitted by the court to testify for himself, upon being indemnified by the plaintiff in the fieri facias.

See the case of *Wise v. Bowen* [Case No. 17,905], in this court, at April term, 1821, and *Dixon v. Waters* [Id. 3,936], at December term, 1824.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]