

Case No. 6,609. HOLLENBACK V. MILLER ET UX.
[3 Cranch, C. C. 176.]¹

Circuit Court, District of Columbia.

May Term, 1827.

TROVER AND CONVERSION—HUSBAND AND—WIFE.

Trover will not lie against husband and wife for a conversion to her use only.

{Action of trover by William Hollenback against Michael Miller and wife.} The declaration stated that the defendants converted the goods “to her own use.”

J. Dunlop, moved in arrest of judgment, that there cannot be a conversion to the use of the wife during the coverture. 2 Saund. 47, note; Rhemes v. Humphreys, Cro. Car. 254; Perry v. Diggs, Cro. Car. 494.

Judgment arrested (nem. con.) for that reason.

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