

Case No. 6,628.

HOLMEAD v. FOX.

[1 Cranch, C. C. 138.]¹

Circuit Court, District of Columbia.

July Term, 1803.

EVIDENCE—BY-LAWS OF GEORGETOWN—CONSTABLE.

1. The original by-laws of Georgetown need not be made under the seal of the corporation.

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2. A constable, appointed by this court, and residing in Georgetown, is “a constable of the town of Georgetown and precincts,” within the meaning of the by-law concerning hogs.

Trover for hogs. The defendant justifies under a by-law of Georgetown, authorizing any person to take up hogs going at large, &c.

Mr. Woodward, for plaintiff, objected to the copy of the by-law offered in evidence, because the original by-law did not appear to have been made under the seal of the corporation, although the copy produced was attested by the clerk of the corporation, as a true copy under the seal of the corporation, and also by the mayor, who has also annexed the corporate seal to his certificate.

THE COURT overruled the objection; and a bill of exceptions was taken by the plaintiff.

Mr. Woodward, then objected, that the defendant was not “a constable of the town of Georgetown and precincts,” within the meaning of the by-law, having been appointed as a county constable by this court.

But THE COURT overruled this objection, also.

Verdict for the defendant.

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