

Case No. 8,742. McCUTCHEN v. HILLEARY.  
[1 Cranch, C. C. 173.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1804.

COSTS—SECURITY FOR—PARTY REMOVED FROM DISTRICT.

The defendant may require security for costs, from a plaintiff who has removed from the district since the commencement of the action.

Assault and battery. The defendant [Nicholas Hilleary] stated that since the bringing this suit the plaintiff [James McCutchen] had removed from the district to Philadelphia, and has there fixed his residence, &c. Motion by the defendant's counsel to lay a rule on the plaintiff to give security for costs. Granted. KILTY, Chief Judge, doubting.

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