

Case No. 9,293.

MATTINGLY v. SMITH.

[2 Cranch, C. C. 158.]¹

Circuit Court, District of Columbia.

Dec. Term, 1818.

ARREST—CIVIL—CAPIAS AD SATISFACIENDUM—INSOLVENCY.

The court will not, on motion, quash a ca. sa. issued by the clerk of this court upon a judgment of a justice of the peace, upon the ground that the defendant had applied for the benefit of the insolvent laws of Maryland, and had obtained an order, and given bond, for his appearance in St. Mary's county, Maryland, but had not yet obtained his final discharge.

The defendant moved the court to quash a ca. sa. issued by the clerk of this court upon the judgment of a justice of the peace, because he had applied for the benefit of the insolvent laws of Maryland, where he resided, and had obtained an order, and given bond for his appearance in St. Mary's county, by which he is protected from arrest in Maryland, but had not yet obtained his final discharge.

THE COURT overruled the motion, and refused to quash the ca. sa.

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