

MAYNADIER v. WROE.

{1 Cranch, C. C. 442.}¹

Circuit Court, District of Columbia. July Term, 1807.

BAIL IN CIVIL CASES—SURRENDER—NOTICE TO PLAINTIFF.

1. Upon surrender of the principal to the sheriff by the bail under the law of Virginia, notice must be given immediately to the creditor, his attorney, or agent.
2. The knowledge of the plaintiff's attorney is not sufficient.

{Action by Maynadier against Wroe, special bail of Bickenton.}

The question was, whether the surrender of bail to the sheriff, with the knowledge of the plaintiff's attorney, without regular notice, according to the 31st section of the act of Virginia of the 12th of December, 1792, is a discharge of the bail.

THE COURT was of opinion that the notice must come from the bail, and be given immediately to the creditor, his attorney, or agent.

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