

## Case No. 9,358.

MAYOR AND COMMONALTY V. COOKE ET  
AL.

{1 Cranch, C. C. 160.}<sup>1</sup>

Circuit Court, District of Columbia. March 26, 1804.

BAIL—CIVIL CASES—CHANCERY ATTACHMENT.

The defendant cannot appear to a chancery attachment in Virginia, without giving bail.

Motion by Mr. Simms and C. Lee, for defendants [Stephen Cooke and others], to appear on a chancery attachment, without giving security according to Act Va. 1792, c. 78. (1) Because Dr. Cooke has so much real estate in town; (2) because the attachment is for taxes, and taxes can only be recovered by distress and sale.

Appearance refused without security.

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

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