

Case No. 9,547.

MILLARD v. CRAIG.

{8 Leg. Int. 22.}

District Court, S. D. New York. Jan. 30, 1851.

PRACTICE IN ADMIRALTY—CONDITIONS TO
DEFENDING—COSTS—STIPULATION.

{This was a libel in personam by Walter Millard and others against James E. Craig and others, owners of the scow Globe.}

THE COURT decided that, in giving a bond to relieve property taken by a clause of foreign attachment, that the defendant must pay the taxed costs on said motion, as a condition to be permitted to defend the cause on its merits. Order accordingly.

On another motion in the same cause, THE COURT held that the supreme court, by rule 4, has changed the character and scope of stipulations in cases of personal arrest {Case No. 9,548.} In suits in personam, in whatever way the defendant is brought into court, he is required to give a stipulation to satisfy the decree before he can be admitted to defend the case, instead of giving stipulations for costs only.

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