

MOORE v. RINGGOLD.

{3 Cranch. C. C. 434.}¹

Circuit Court, District of Columbia. May Term, 1829.

SALE—POSSESSION—CREDITORS.

A bill of sale of goods is void as to creditors, unless the possession accompanies and follows the deed.

{Cited in brief in *Brawn v. Keller*, 43 Pa. St. 105.}

Replevin of a horse taken by the defendant, as marshal, in execution against Dunning, and found in his possession. The plaintiff claimed the property under a sale from Dunning, who testified that he sent the horse to Moore, with a bill of sale; that Moore sent him back to Dunning with the bill of sale, saying that as he had no other horse, he might keep him till he (Moore) should send for him.

THE COURT (nem. con.), upon the authority of the case of *Hamilton v. Russell*, 1 Cranch [5 U. S.] 309, instructed the jury ⁶⁹⁹ that the sale was void as to creditors, unless the possession accompanied and followed the bill of sale. Verdict for the defendant.

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