

MUIR v. GEIGER.

{1 Cranch, C. C. 323.}¹

Circuit Court, District of Columbia. July Term, 1806.

PAYMENT—RECEIPT OF BOND OF THIRD PERSON.

A receipt of a bond of a third person “in part pay” of a precedent debt is conclusive evidence of payment to that extent, although the obligor was insolvent at the time of the receipt given.

Indebitatus assumpsit, for a desk and bookcase sold and delivered. The defendant produced a receipt from the plaintiff, for a bond of one Allison, for £16. 14s. 10½d., “in part pay on a desk and bookcase.”

The COURT (DUCKETT, Circuit Judge, absent,) said it was conclusive evidence that the bond was received in part payment, although the bond might have been unproductive, and Allison insolvent at the time.

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

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