

Case No. 11,021.

PETER v. SUTER.

{1 Cranch, C. C. 311.}¹

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

SURRENDER OF DEBTOR UPON CA. SA.

Upon surrender of the debtor upon a ca. sa. the court will not, without motion, order him to be committed in execution.

{This was an action by D. Peter against John Suter.}

Judgment, at December, 1804. Ca. sa. issued and sent to D. Peter, returnable to this term. The principal surrendered in discharge of his bail.

Mr. Mason, for plaintiff, was absent; no notice had been given.

THE COURT received the surrender of the debtor, and refused to order him into commitment, the plaintiff not having prayed it.

Mr. Caldwell then appeared for plaintiff, and prayed him in commitment, and he was committed.

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

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