

Case No. 11,317.

POTOMAC CO. v. GILMAN.

{2 Cranch, C. C. 243.}¹

Circuit Court, District of Columbia. May Term, 1821.

SECURITY FOR COSTS—RESIDENT OFFICER OF FOREIGN CORPORATION.

A corporation aggregate, whose president and treasurer reside in this district, cannot be compelled to give security for costs, as being nonresident plaintiffs.

The defendant [E. Gilman] had obtained a rule on the plaintiffs to give security for costs under the act of Virginia of the 19th of December, 1792 (section 23). The clerk objected to swearing the jury until security should be given.

THE COURT, without argument, decided (nem. con.) that the rule could not be laid in such a case. The president and treasurer of the company reside in this district, and the company may be sued here.

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

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