

RITCHIE v. STONE.

{2 Cranch, C. C. 258.}¹

Circuit Court, District of Columbia. Nov. 29, 1821.

JUSTICE OF PEACE—ACTION AGAINST
ADMINISTRATOR.

A justice of peace has no jurisdiction of an action against an administrator.

[Cited in *Ennis v. Holmead*, Case No. 4,492.]

Appeal from the judgment of a justice of the peace rendered against the appellant in favor of the appellee for \$20 and costs.

The appellant was administrator of Abner Ritchie, who was administrator of J. W. Goldsborough, and, as such, had the sum of \$94 to be distributed among four distributees, of whom Stone was one.

Mr. Key, for appellant, contended that a justice of the peace has not jurisdiction in cases against administrators, under the Maryland act of 1791 (chapter 68), and stated that a new statute had been lately passed in Maryland, to remedy the defect. The justice cannot carry the testamentary system into effect. He cannot ascertain assets and render judgment according to the assets, nor appoint an auditor to ascertain them; nor render judgment for further assets when they shall appear.

Mr. Taney, contra, contended that the justice has power to do all that this court may.

But THE COURT, after taking time for consideration, reversed the judgment.

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

This volume of American Law was transcribed for use
on the Internet

through a contribution from [Google](#). 