

ROBERTSON V. SELBY.

{1 Cranch, C. C. 211.}¹

Circuit Court, District of Columbia. Dec. Term, 1804.

WITNESS—COMPETENCY—INTEREST—ACTION BY
ADMINISTRATOR—INTESTATE'S CREDITORS.

Creditors of the plaintiff's intestate are competent witnesses to support a claim by the plaintiff as administrator against the defendant.

Several persons, supposed to be creditors of the plaintiff's intestate, whose estate was insolvent, were offered as witnesses for the plaintiff upon the general issue.

Mr. Mason objected to their competency, on the ground of interest.

But THE COURT said that such a remote possibility of interest goes to the credit, and not to the competency, of the witness.

The witnesses, however, released to the plaintiff all their interest, and were sworn.

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