

ROSS v. KINGSTON.

[1 Cranch. C. C. 140.]¹

Circuit Court, District of Columbia. Nov. Term, 1803.

BASTARDY ACTION—SECURITY FOR SUPPORT.

This court has jurisdiction to require the father of a bastard to give security for its support.

{This was an action by Elizabeth Ross against Nicholas Kingston. Heard on} motion to compel the father of a bastard to support it.

Mr. Jones, for defendant.

This court has no jurisdiction—it is not within the words of the act of congress of February 27, 1801 (2 Stat. 103), or of the act of the 3d of March, 1801 (2 Stat 110). The act of assembly of Virginia gives a peculiar jurisdiction to the county court only. Rev. Code 1792, c. 102, § 23. This is no crime or offence. If it is an offence, this is not the mode of prosecuting it.

THE COURT overruled the objection to the jurisdiction.

Mr. Jones requested further time to obtain testimony to discredit the oath of the woman: Denied, because he ought to come prepared, or to have prayed further time before the cause was heard.

Mr. Jones moved the court to permit the father to take the child to his own house to keep and maintain it, in case the court should adjudge him to be the father: Refused, the power of binding out being with the overseers of the poor.

Order granted, to maintain the child by paying thirty dollars per annum for nine years; and to recognize himself in 270 dollars, with two sureties, 135 dollars each, to that effect.

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](#). 