

## SEARS v. NOON.

{2 Cranch. C. C. 220.}<sup>1</sup>

Circuit Court, District of Columbia. Nov. Term, 1820.

## ATTACHMENT—VIRGINIA ACT—WHERE ISSUED.

An attachment, by a justice of the peace, under the sixth section of the Virginia act of 26th of December, 1792, can only be issued by a justice of the county in which the defendant resides, or from which he is privately removing, or in which he absconds, or conceals himself.

{Cited in *Channing v. Reiley*, Case No. 2,596.}

Mr. Wise, for defendant, moved the court to quash the warrant of attachment, which recited as follows: "County of Alexandria, ss. Whereas, Charles L. Sears, of the city of Washington, in the District of Columbia, hath this day complained before me, the subscriber, one of the United States' justices of the peace for the county aforesaid, that Patrick Noon, of the city of Washington aforesaid, is indebted to him in the sum of nine thousand dollars current money, and that the said Patrick Noon hath privately removed himself out of this county, or so absconds or conceals himself that the ordinary process of law cannot be served on him; these are therefore," etc.

THE COURT (nem. con.) quashed the attachment, with costs.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]