

## Case No. 13,508.

STOVER v. DENSLEY.

{1 Cranch, C. C. 267.}<sup>1</sup>

Circuit Court, District of Columbia. Dec. Term, 1805.

## APPEARANCE—INSOLVENCY—DISCHARGE.

Quære, whether a defendant, discharged under the insolvent law, after arrest on a *capias ad respondendum*, and before the return, can be compelled to appear.

Assumpsit. The *capias* was returned “*cepi—discharged under insolvent law.*”

Mr. Sprigg, for plaintiff, objected to the return without an appearance. THE COURT thought he could not compel an appearance; but gave him leave to move it again.

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

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