

SUTTON V. MANDEVILLE ET AL.

{1 Cranch, C. C. 32.}¹

Circuit Court, District of Columbia. July Term, 1801.

JUDGMENT—FORTHCOMING BOND.

A defective forthcoming bond, will, at the plaintiff's request, be quashed, as well as the execution upon which it was founded.

Motion for judgment on a forthcoming bond. The bond produced was not signed by Mandeville and Jamieson, but had two scrolls for seals, and was signed and sealed by Charles Turner as surety. Charles Turner was the town Serjeant who served the execution upon which the bond was given, and who had returned upon the execution that the bond was returned to the office, but did not describe the bond in any manner. There was no subscribing witness.

THE COURT refused to give the judgment; and, at the plaintiff's request, quashed both the bond and the execution.

{See Cases Nos. 13,648, 13,650, and 13,651.}

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

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