

UNITED STATES v. BLACKLOCK.

{2 Cranch, C. C. 166.}¹

Circuit Court, District of Columbia. April Term, 1819.

UNITED STATES—RIGHT TO SUMMARY JUDGMENT—RECEIVERS OF PUBLIC MONEY.

The right of the United States to summary judgment, under the act of congress of the 3d of March, 1797, c. 74, § 3 [1 Story's Laws, 464; 1 Stat. 514, c. 20], "to provide more effectually for the settlement of accounts between the United States and receivers of public money," does not extend to suits brought by the United States as indorsees of promissory notes.

Assumpsit by the United States against the defendant as indorser of a promissory note.

Mr. Jones, for the United States, claimed a summary judgment, at the return term, upon motion, according to the 3d section of the act of congress of the 3d of March, 1797 (1 Stat. 512), to provide more effectually for the settlement of accounts between the United States and receivers of public money.

Mr. Taylor, for defendant, objected that the act relates only to such receivers of public money as are accountable agents, such as have been intrusted with public money to account therefor, whose accounts are to be adjusted at the treasury of the United States, who may be entitled to commissions, and whose commissions may be forfeited. The third section refers only to such receivers of public money as are designated by the first section.

And THE COURT (THRUSTON, Circuit Judge, absent), being of that opinion, overruled the motion.

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

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