

Case No. 14,816. UNITED STATES v. CLEMENTS.
[2 Cranch, C. C. 30.]¹

Circuit Court, District of Columbia.

Nov. Term, 1811.

BASTARDY—RECOGNIZANCE—HOW TAKES.

A recognizance in a case of bastardy cannot be taken by a justice of the peace, in Virginia, unless upon the application of the overseers of the poor.

This was a recognizance taken by a justice of the peace in Alexandria in a case of bastardy.

E. J. Lee, for defendant, moved the court to quash it because it was not taken at the request of the overseers of the poor, according to the act of assembly of Virginia of 26th December, 1792, p. 183, § 13.

THE COURT (THRUSTON, Circuit Judge, absent) ordered the recognizance to be discharged, unless the overseers of the poor should appear at this term and show cause to the contrary.

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