

UNITED STATES v. DENEALE.

{1 Cranch, C. C. 34.}¹

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

REGISTER OF COURT—CUSTODY OF RECORDS.

The register of the orphans' court in Alexandria is entitled to the custody of the record books of wills, of the late court of hustings.

Mandamus nisi, commanding the defendant [George Deneale] to deliver to Cleon Moore, register of the orphans' court, the records of wills, &c., remaining in the hands of Deneale as late clerk of the court of hustings for the town of Alexandria. The return denied the right of Moore to the custody of those papers. The following acts were cited: Supplement to the act of congress concerning the District of Columbia, March 3, 1801, § 3 (2 Stat. 115); the sixth section of the act of Virginia, respecting the district courts, December 12, 1792 (Rev. Code, p. 70); eighth section of act of Virginia, respecting the general court, December 13, 1792 (Rev. Code, 70); 1785, p. 45, concerning wills, &c.; 1792, § 10, concerning wills; and twelfth section of the act of congress concerning the District of Columbia, February 27. 1801 (2 Stat. 103).

Peremptory mandamus ordered.

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

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