

UNITED STATES v. DICK.

{2 Cranch, C. C. 409.}¹

Circuit Court, District of Columbia. May Term, 1823.

BASTARDY—COMPLAINT—JURISDICTION.

In cases of bastardy this court has no jurisdiction, unless upon complaint of the overseers of the poor of the county.

A case of bastardy.

Mr. Taylor, for the defendant {David Dick, Jr.}, contended that no proceeding can be instituted against the reputed father of a bastard child but on application by the overseers of the poor of the county, or of one of them. Laws Va. Dec. 26, 1792, § 23. But the application, in this case, was made by Jonathan Swift, who was a trustee of the poor of the town, under a by-law of the corporation of Alexandria.

Mr. Swann, *contra*. That relates only to the manner of bringing the party before the court, but being now before the court, it has authority to make an order for the support of the child, and to indemnify the county.

THE COURT (THRUSTON, Circuit Judge, absent) said that they had no jurisdiction. That in order to give this court jurisdiction, the application must be made by an overseer of the poor of the county.

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