

UNITED STATES V. FEARSON.

{5 Cranch, C. C. 95.}¹

Circuit Court, District of Columbia. Nov. Term, 1836.

JUDGMENT—CORRECTION OF—MISTAKE.

The court will, at a subsequent term, correct a judgment entered by mistake for too large a sum.

Debt on an administration bond [by the United States for the use of Keirle]. Judgment for the whole amount of the plaintiff's claim, when the estate was insolvent.

Mr. Redin moved to quash the execution and correct the judgment, which was confessed at the last term, it having been entered for about \$50 too much, as the defendant contends by mistake.

Mr. C. Coxe, contra. A judgment on an administration bond cannot be for assets, as in an action against an executor or administrator. The judgment must be absolute.

THE COURT, being satisfied that Mr. W. L. Brent had confessed the judgment by mistake, ordered it to be corrected.

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