

Case No. 17,555.

WHITE v. PERRIN.

{1 Cranch, C. C. 50.}<sup>1</sup>

Circuit Court, District of Columbia.

Jan. Term, 1802.

CONTRIBUTION BY SURETY.

Judgment will not be rendered on motion of one surety against another, unless the insolvency of the principal be fully proved.

Motion by White, under the act of assembly, Rev. Code, 292, for judgment against Perrin as a co-surety for Miller; Kennedy, the creditor, having recovered judgment for the whole debt against White.

Refused, because the insolvency of Miller was not fully proved.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]