

Case No. 17,788.

WILSON v. BASTABLE.

{1 Cranch, C. C. 304.}¹

Circuit Court, District of Columbia.

March Term, 1806.

JUDGMENTS—EQUITABLE RELIEF.

Equity will not relieve against a judgment at law, upon plene administravit, on the ground that the defendant at law could not produce

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vouchers to support his plea, unless there be in the bill an allegation of fraud, mistake, surprise, or accident.

Motion to dissolve an injunction, to stay proceedings at law upon a judgment rendered on the issue of plene administravit. The only equity stated in the bill was, that the defendant at law could not support his plea for want of vouchers. No fraud, mistake, accident, or surprise, was alleged.

E. J. Lee cited the case of *Wilson v. Bell*, 2 Call, 104; *Dunlop v. Shelton* (before Chief Justice Marshall); *Robinson v. Bell*, 2 Vern. 140; and *Stephenson v. Wilson*, Id. 325.

Mr. Swann, for the defendant, cited *White V. Bannister's Ex'rs*, 1 Wash. [Va.] 168.

Injunction dissolved.

{See Cases Nos. 1,097 and 17,789.}

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