

James S. Collins
REPORTS
OF
C A S E S

ARGUED AND ADJUDGED

IN THE

Supreme Court of the United States,

IN

AUGUST AND DECEMBER TERMS, 1801,

AND

FEBRUARY TERM, 1803.

VOL. I.

BY WILLIAM CRANCH,
ASSISTANT JUDGE OF THE CIRCUIT COURT OF THE DISTRICT OF
COLUMBIA.

POTIUS IGNORATIO JURIS LITIGIOSA EST, QUAM SCIENTIA.

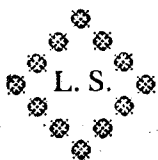
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INGTON CITY; SOMERVILLE AND CONRAD, PETERSBURG; AND BOY-
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.....
1804.

District of Columbia....to wit,



BE IT REMEMBERED, That on this twenty-sixth day of June, in the year of our Lord eighteen hundred and four, and in the twenty-eighth year of American Independence, William Cranch, of the said district, hath deposited in this office, the title of a book, the right whereof he claims as author, in the words following, to wit: "Reports of Cases, argued and adjudged in the Supreme Court of the United States in August and December Terms 1801, and February Term 1803." In conformity to the act of the Congress of the United States, entitled "An act for the encouragement of learning, by securing the copies of maps, charts and books to the authors and proprietors of such copies during the times therein mentioned."

G. DENEALE,

Clerk of the District of Columbia.

PREFACE.

MUCH of that *uncertainty of the law*, which is so frequently, and perhaps so justly, the subject of complaint in this country, may be attributed to the want of American reports.

Many of the causes, which are the subject of litigation in our courts, arise upon circumstances peculiar to our situation and laws, and little information can be derived from English authorities to lead to a correct decision.

Uniformity, in such cases, can not be expected where the judicial authority is shared among such a vast number of independent tribunals, unless the decisions of the various courts are made known to each other. Even in the same court, analogy of judgment can not be maintained if its adjudications are suffered to be forgotten. It is therefore much to be regretted that so few of the gentlemen of the bar have been willing to undertake the task of reporting.

In a government which is emphatically stiled a government of laws, the least possible range ought to be left for the discretion of the judge. Whatever tends to render the laws certain, equally tends to limit that discretion; and perhaps nothing conduces more to that object than the publication of reports. Every case decided is a check upon the judge. He can not decide a similar case differently, without strong reasons, which, for his