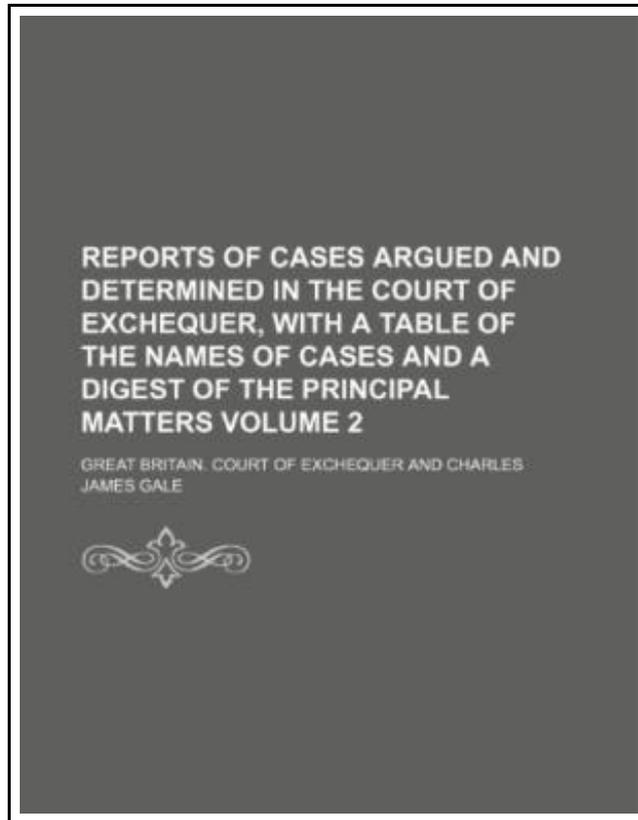


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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1838 edition. Excerpt: .as the order of the judge was made by consent of the parties. Maule intimated that he abandoned that part of the rule. As to the second part of the rule, it was granted on the authority of *Robinson v. Elsam* (a); but that case does not apply, as it has been held, there must be a recovery by verdict, *Rowe v. Rhodes* (b), or by the finding of an arbitrator, to bring it within the statute (c). Neither can it be contended that the statute does not apply, the plaintiff being an attorney, over whom the Court will exercise their jurisdiction; but it is a question whether the ground taken by *Abbott, C. J.* to that effect, in *Robinson v. Elsam* (d), can be supported. It used to be thought good law, till *Dagley v. Kentish* (e), where Lord Tenterden said much doubt was entertained on the point, and refused to send the bill in that case for taxation; and *Wilson v. Gutteridge* (/) was doubted by *Littledale, J.* On the facts the plaintiff s affidavits shew reasonable and probable cause for the arrest. Maule objected to the affidavits being read, as they contained statements made by the defendant to the plaintiff confidentially, as his attorney in another suit. *Sed per Curiam.*--Let only such parts be read which go to the reasonable and probable cause. *Jervis.*--The affidavits state that the ground of deduction by the master was this: --in the indictment against the defendant...

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